

# FEDERAL REGISTER

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# Rules and Regulations

## Title 7—AGRICULTURE

### Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

#### PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

##### Subpart—United States Standards for Grades of Endive, Escarole, or Chicory<sup>1</sup>

On July 3, 1964, a notice of proposed rule making was published in the *FEDERAL REGISTER* (29 F.R. 8428) regarding a proposed revision of United States Standards for Grades of Endive, Escarole, or Chicory (7 CFR 51.3535–51.3545).

*Statement of considerations leading to the revision of the grade standards.* The existing United States Standards for Endive, Escarole, or Chicory have been in effect since June 15, 1933 and have not been codified.

In addition to codification, the revision includes more precise definitions of "damage" and "serious damage" and would further provide under "Application of tolerances" that at least one defective plant may be permitted in any package. A definition for "fresh" is added. Certain other changes made in the interest of clarity will not tighten or loosen the scoring of any specific defect, but will assist materially in providing uniform phraseology in line with current standards.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the following U.S. Standards for Grades of Endive, Escarole, or Chicory are hereby promulgated pursuant to the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended; 7 U.S.C. 1621–1627).

GENERAL	
Sec.	
51.3535	General.
GRADE	
51.3536	U.S. No. 1.
UNCLASSIFIED	
51.3537	Unclassified.
TOLERANCES	
51.3538	Tolerances.
APPLICATION OF TOLERANCES	
51.3539	Application of Tolerances.

<sup>1</sup> Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

#### DEFINITIONS

Sec.	
51.3540	Similar varietal characteristics.
51.3541	Fresh.
51.3542	Well trimmed.
51.3543	Fairly well blanched.
51.3544	Damage.
51.3545	Serious damage.

**AUTHORITY:** The provisions in this subpart issued under secs. 203, 205, 60 Stat. 1087 as amended, 1090 as amended; 7 U.S.C. 1622, 1624.

#### GENERAL

##### § 51.3535 General.

These standards do not apply to French Endive or Chicory marketed for its roots.

#### GRADE

##### § 51.3536 U.S. No. 1.

"U.S. No. 1" consists of plants of endive, escarole or chicory of similar varietal characteristics which are fresh, well trimmed and fairly well blanched, and which are free from decay and free from damage caused by seedstems, broken, bruised, spotted, or discolored leaves, wilting, dirt, disease, insects or other means.

#### UNCLASSIFIED

##### § 51.3537 Unclassified.

"Unclassified" consists of plants of endive, escarole or chicory which have not been classified in accordance with the foregoing grade. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no grade has been applied to the lot.

#### TOLERANCES

##### § 51.3538 Tolerances.

In order to allow for variations incident to proper grading and handling, the following tolerances, by count, shall be permitted in any lot:

(a) 10 percent for plants of endive, escarole or chicory which fail to meet the requirements of the grade: *Provided*, That included in this amount not more than 5 percent shall be allowed for defects causing serious damage, including in this latter amount not more than 2 percent for plants affected by decay.

#### APPLICATION OF TOLERANCES

##### § 51.3539 Application of tolerances.

The contents of individual packages in the lot, based on sample inspection, are subject to the following limitations: *Provided*, That the averages for the entire lot are within the tolerances specified for the grade:

(a) For a tolerance of 10 percent individual packages may contain not more than one and one-half times the specified tolerance, and for a tolerance of less than 10 percent individual packages may contain not more than double the specified tolerance, except that at least

one defective plant may be permitted in any package.

#### DEFINITIONS

##### § 51.3540 Similar varietal characteristics.

"Similar varietal characteristics" means that the plants in any package are of the same type such as curly-leaved endive or broad-leaved escarole.

##### § 51.3541 Fresh.

"Fresh" means that the plant as a whole has normal succulence and the outermost leaves are not more than slightly wilted.

##### § 51.3542 Well trimmed.

"Well trimmed" means that the roots are neatly cut near the point of attachment of the outer leaf stems.

##### § 51.3543 Fairly well blanched.

"Fairly well blanched" means that the plant has a yellowish-white to white heart formation with a spread averaging not less than four inches in diameter when the head is opened as far as possible without breaking the leaves or leaf stems.

##### § 51.3544 Damage.

"Damage" means any defect, or any combination of defects, which materially detracts from the appearance, or the edible or shipping quality of the individual plant or the lot as a whole.

##### § 51.3545 Serious damage.

"Serious damage" means any defect, or any combination of defects, which seriously detracts from the appearance or the edible or shipping quality of the individual plant or the lot as a whole.

The U.S. Standards for Grades of Endive, Escarole, or Chicory contained in this subpart shall become effective October 1, 1964, and will thereupon supersede the U.S. Standards for Endive, Escarole, or Chicory which have been in effect since June 15, 1933.

Dated: August 13, 1964.

G. R. GRANGE,  
Deputy Administrator,  
Marketing Services.

[F.R. Doc. 64-8319; Filed, Aug. 17, 1964; 8:48 a.m.]

### Chapter III—Agricultural Research Service, Department of Agriculture

#### PART 354—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

##### Commuted Travel Time Allowances

Pursuant to the authority conferred upon the Director of the Plant Quarantine Division by § 354.1 of the regulations concerning overtime services relating to imports and exports, effective January 5, 1964 (7 CFR 354.1), administrative instructions (7 CFR 354.2) ef-

fective July 30, 1963, as amended October 2, 1963, January 4, 1964, and March 5, 1964 (28 F.R. 7718, 10564, 14485, 29 F.R. 2985), prescribing the commuted travel time that shall be included in each period of overtime duty are hereby amended by adding to the respective "lists" therein, as follows:

**§ 354.2 Administrative instructions prescribing commuted travel time.**

**OUTSIDE METROPOLITAN AREA**

**ONE HOUR**

McAllen, Tex. (served from Hidalgo, Tex.).  
Mission, Tex. (served from Hidalgo, Tex.).

**TWO HOURS**

Donna, Tex. (served from Hidalgo, Tex.).  
Progreso, Tex. (served from Hidalgo, Tex.).  
Weslaco, Tex. (served from Hidalgo, Tex.).

**THREE HOURS**

Toledo, Ohio (served from Detroit, Mich.).

These commuted travel time periods have been established as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which the employee performs such overtime duty when such travel is performed solely on account of such overtime duty. Such establishment depends upon facts within the knowledge of the Plant Quarantine Division. It is to the benefit of the public that these instructions be made effective at the earliest practicable date. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and public procedure on these instructions are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making these instructions effective less than thirty days after publication in the *FEDERAL REGISTER*.

(64 Stat. 561; 5 U.S.C. 576)

This amendment shall become effective August 18, 1964.

Done at Hyattsville, Md., this 12th day of August 1964.

[SEAL] F. A. JOHNSTON,  
Director, Plant Quarantine Division.

[F.R. Doc. 64-8301; Filed, Aug. 17, 1964; 8:47 a.m.]

**Chapter XIV—Commodity Credit Corporation, Department of Agriculture**

**SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS**

[1963-64 Cotton Equalization Program—Payment-in-Kind Regs., Amdt. 2]

**PART 1427—COTTON**

**Subpart—1963-64 Cotton Equalization Program—Payment-in-Kind Regulations**

**ELIGIBLE COTTON**

The regulations issued by Commodity Credit Corporation, published in 29 F.R.

5305 as 1963-64 Cotton Equalization Program—Payment-in-Kind Regulations and containing the terms and conditions under which Commodity Credit Corporation users under the program, are hereby amended to provide an additional alternative method for proving cotton eligibility requirements under certain circumstances.

Paragraph (a) of § 1427.1803 is hereby amended to read as follows:

**§ 1427.1803 Definitions.**

(a) *Eligible cotton.* "Eligible cotton" means raw upland cotton grown in the United States of grades named in the Universal Standards for American Upland Cotton which has a staple length of  $1\frac{3}{16}$  inch or longer: *Provided however,* That with respect to bales opened on and after April 27, 1964, before a bale of (1) reginned or repacked cotton, as defined in regulations of the Department of Agriculture under the U.S. Cotton Standards Act (Service and Regulatory Announcement No. A.M.S. 153; Title 7, Chapter I, Part 28, of the Code of Federal Regulations), or (2) cotton which the domestic cotton user has any reason to believe may have a staple length shorter than  $1\frac{3}{16}$  inch or may be below grade, may be included in an application for payment under this subpart, the domestic cotton user must obtain a Form A Classification Memorandum, an acceptable Form D Classification Memorandum or other classification memorandum acceptable to CCC issued for such bale of cotton by a board of cotton examiners of the U.S. Department of Agriculture showing that such bale was  $1\frac{3}{16}$  inch or longer in staple length and of a grade named in the Universal Standards for American Upland Cotton, unless the Executive Vice President, CCC, upon the request of the domestic cotton user and upon favorable recommendation of the State committee and upon submission of evidence satisfactory to CCC determines that such user did not obtain the required classification memorandum because such user did not know before the bales of cotton were opened and consumed that such classification memorandum was required and determines that if such classification memorandum had been obtained, it would have shown the cotton to be eligible cotton. A Form D classification of the U.S. Department of Agriculture will be acceptable hereunder if a representative of the county committee supervises the drawing, handling, packaging, and shipping of samples in accordance with CCC instructions. (Bales of (i) foreign grown cotton, (ii) cotton shorter in staple length than  $1\frac{3}{16}$  inch, (iii) below grade cotton, (iv) byproducts of cotton such as cotton mill waste, motes, linters, and sweepings, and (v) any cotton that has been mixed with byproducts of cotton are not eligible under this subpart.)

CCC's determination as to the eligibility of cotton hereunder shall be final.

(Secs. 4, 5, 62 Stat. 1070, as amended, sec. 101, Public Law 88-297; 15 U.S.C. 714 (b) and (c).)

*Effective date.* This amendment shall become effective at 12:01 a.m. April 11, 1964.

Signed at Washington, D.C., on August 12, 1964.

H. D. GODFREY,  
Executive Vice President,  
Commodity Credit Corporation.

[F.R. Doc. 64-8302; Filed, Aug. 17, 1964; 8:47 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter II—Civil Aeronautics Board

#### SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. No. ER-412]

### PART 225—TARIFFS OF CERTAIN CERTIFICATED AIRLINES; TRADE AGREEMENTS

#### Miscellaneous Amendments

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 13th day of August 1964.

On July 17, 1964, the Civil Aeronautics Board issued a notice of proposed rule making, EDR-69, 29 F.R. 9843, proposing to amend Part 225 of its Economic Regulations (14 CFR Part 225) to authorize Northeast Airlines, Inc. to enter into trade agreements with respect to its local service routes north of New York. Comments were invited, and only National Airlines, Inc. (National) responded.

Apart from "two points of clarification," National does not oppose the proposed amendment. First, it refers to an inadvertence in existing § 225.2(a) pertaining to the filing of notice of trade agreements wherein the term "airline" should be substituted for the term "local service airline" to make the provision consistent with the definition of "airline" now found in § 225.1(a). This inadvertence has been corrected. Secondly, National asks that the regulation include a statement that the amendment will operate only prospectively. Prospective operation is inherent in the Board's proposal and clarification in this respect is not needed.

To the extent not granted herein, the application of Northeast in Docket 15193 is denied.

Inasmuch as this amendment does not impose a regulatory burden on any person and grants an exemption, the amendment may be made effective upon less than 30 days' notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 225 of its Economic Regulations (14 CFR Part 225) effective August 18, 1964, as follows:

1. Amend § 225.1(a) by redesignating subparagraphs (2), (3), (4), and (5) as subparagraphs (3), (4), (5), and (6), respectively, and by adding a new subparagraph (2) to read:

#### § 225.1 Definitions.

(a) \* \* \*

(2) Any trunkline air carrier receiving subsidy for services over part of its certificated routes.

\* \* \*

2. Amend § 225.2(a) to read as follows:

**§ 225.2 Filing of notice of trade agreement and cancellation of such agreement.**

(a) *Notice of trade agreement.* Any airline may at any time prior to December 17, 1965, file with the Board a notice of its intention to furnish air transportation in exchange for services or goods for advertising purposes. Every such notice shall be accompanied by an executed counterpart of a written agreement, containing all the terms of the agreement between the parties thereto, duly entered into by such air carrier with the supplier, and by an affidavit by the chief financial officer or other responsible officer of the airline having knowledge of the transaction in the form required by § 225.4. Every such notice shall be filed at least 14 days prior to the effective date specified in the trade agreement. Within the meaning of this part, air transportation shall be deemed to be furnished when the passenger is actually enplaned.

\* \* \*

3. Amend § 225.5 by redesignating paragraphs (l) and (m) as paragraphs (m) and (n), respectively, and by adding a new paragraph (l); and amend redesignated § 225.5 (m) and (n) by changing the references § 225.1(a)(3) and § 225.1(a)(5) to read, respectively, § 225.1(a)(4) and § 225.1(a)(6). The new paragraph (l), and paragraphs (m) and (n) as amended, will read:

**§ 225.5 Provisions of agreement.**

\* \* \*

(l) That trunkline air carriers defined in § 225.1(a)(2) shall exchange air transportation only over those certificated routes on which they receive subsidy and only for services or goods for advertising purposes which advertise air transportation over such subsidized routes;

(m) That certificated air carriers defined in § 225.1(a)(4) shall exchange only air transportation conducted between points within the State of Alaska (but not between points on a route between Alaska and other States of the United States unless the air carrier is also authorized to serve such points on a route located wholly within Alaska) for advertising services or goods advertising only air transportation between such points within the State of Alaska; and

(n) That certificated air carriers defined in § 225.1(a)(6) shall exchange only scheduled air transportation conducted with other than fixed-wing aircraft for advertising services or goods advertising only scheduled air transportation by other than fixed-wing aircraft.

4. Amend § 225.6 to read:

**§ 225.6 Limitation on total value of trade agreements.**

The total value of trade agreements entered into by any single airline in ac-

cordance with the provisions of this part shall be not more than:

(a) \$200,000 in the aggregate each year for those airlines identified under § 225.1(a)(1), (2) and (3);

(b) \$20,000 in the aggregate each year for those airlines identified under § 225.1(a)(4) and (6);

(c) \$100,000 in the aggregate each year for those airlines identified under § 225.1(a)(5).

(Sec. 204(a) of the Federal Aviation Act of 1958, 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply secs. 403, 404, and 416 of the Act, 72 Stat. 758, 760, 771; 49 U.S.C. 1373, 1374, 1386)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 64-8345; Filed, Aug. 17, 1964;  
8:49 a.m.]

### Chapter III—Federal Aviation Agency

#### SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 6146; Amdt. 795]

#### PART 507—AIRWORTHINESS DIRECTIVES

##### Boeing Models 707/720 Series Aircraft

Several instances of fatigue cracks have occurred in the lower flanges and web of the outboard flap center carriage and at the aft attachment of the cam to the lower flange on one carriage half on Boeing Models 707 and 720 series aircraft. Complete rupture of a carriage can cause the loss of a flap in flight. To correct this condition, an airworthiness directive is being issued to require inspection of the flap carriages of the inboard and outboard flaps for cracks and replacement if any crack is found.

As a situation exists which demands immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

**BOEING.** Applies to all Models 707 and 720 Series aircraft. Compliance required as indicated.

Fatigue cracks have occurred in the lower flanges and web of the outboard flap center carriage, and at the aft attachment of the cam (cove lip door up latch roller cam) to the lower flange on one carriage half. Complete rupture of a carriage can cause the loss of a flap in flight. The Boeing part numbers of the affected parts are listed in Table I of Boeing Service Bulletin No. 1822 (R-1). To preclude the loss of a flap in flight, accomplish the following:

(a) Inspect for cracks in flap carriages of the inboard and outboard flaps in accordance with Boeing Service Bulletin No. 1822 (R-1), paragraph 3, Inspection and Modification Data, Part I, b (1), (2), and (3) as follows:

(1) Within the next 25 landings after the effective date of this AD for flap carriages

installed on aircraft for 4,000 or more landings on the effective date of this AD, and prior to the accumulation of 4,025 landings for flap carriages installed on aircraft for less than 4,000 landings on the effective date of this AD, unless already accomplished within the last 175 landings.

(2) Conduct repetitive inspections on the following carriages at intervals not to exceed 200 landings from the last inspection:

(i) The center carriages on outboard flaps of 707-100, -100B, -200, -300, -300B, -300C and -400, and 720 and 720B series aircraft.

(ii) The center carriages on inboard flaps of 707-100, -100B, -200 and 720 series aircraft.

**NOTE:** The repeat inspection is not required on any end carriages.

(b) Replace the cracked flap carriages before further flight. However, the aircraft may be ferried in accordance with the provisions of CAR 1.76 to a suitable base for repair subject to the limitations specified in Boeing Service Bulletin No. 1822 (R-1), paragraph b.(4), (a) through (g) inclusive, including the "note" following paragraph b.(4)(c). If end carriages are cracked, a ferry flight approval must be coordinated with the Aircraft Engineering Division, FAA Western Region.

(c) Operators must maintain a record of landings in order to comply with this AD. For those operators who do not have past records of landings, the number of landings may be estimated by using the operator's fleet average time per flight from take-off to landing as the conversion factor. [For example, if an aircraft has 6,000 hours' time in service and the operator's fleet average time per flight is 1½ hours, this would be equivalent to 4,000 landings for the purpose of compliance with this AD (6,000 ÷ 1.5 = 4,000)].

(d) The repetitive inspections specified in (a)(2) may be discontinued when the rework specified in Part II of Boeing Service Bulletin No. 1822 (R-1) is accomplished.

(e) Upon request of an operator, an FAA maintenance inspector, subject to prior approval of the Chief, Aircraft Engineering Division, FAA Western Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for such operator.

(Boeing Service Bulletins Nos. 1822 (R-1) and 1822 (R-1)A, cover this same subject.)

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

This amendment shall become effective August 18, 1964.

Issued in Washington, D.C., on August 11, 1964.

G. S. MOORE,  
Director,

Flight Standards Service.

[F.R. Doc. 64-8279; Filed, Aug. 17, 1964;  
8:45 a.m.]

[Reg. Docket No. 6145; Amdt. 794]

#### PART 507—AIRWORTHINESS DIRECTIVES

##### Boeing Models 707 and 720 Series Aircraft

Several instances of cracks have occurred in the lower wing skin surface just aft of the front spar on Boeing Models 707 and 720 Series aircraft. To correct this condition, an airworthiness directive is being issued to require inspection of the lower wing skin surface and repair if cracks are found.

As a situation exists which demands immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

**BOEING.** Applies to Models 707 and 720 series aircraft listed in Boeing Service Bulletin No. 1995(R-2) on which Service Bulletin No. 1995(R-2) has not been accomplished.

Compliance required as indicated.

Cracks have been found in the lower wing skin surface at the two outboard fasteners attaching a splice plate tab to the wing skin just aft of the front spar at Wing Station 392.15 and at the farthest inboard fastener common to the inboard drag fitting of the inboard nacelle, the wing skin, and the lower front spar chord. To correct this condition, accomplish the following or an equivalent approved by the Aircraft Engineering Division, FAA Western Region:

(a) On 707 series aircraft with 15,000 or more hours' time in service on the effective date of this AD or upon accumulation of 15,000 hours' time in service, and on 720 series aircraft with 6,000 or more hours' time in service on the effective date of this AD or upon accumulation of 6,000 hours' time in service, accomplish the following:

(1) Within the next 125 hours' time in service unless already accomplished, perform a dye penetrant inspection as outlined in Boeing Service Bulletin No. 1995(R-2), paragraph 3, Part Ia.

(2) Within 550 hours' time in service after the initial inspection required in (a)(1) of this AD, perform an ultrasonic inspection and either an eddy current inspection or dye penetrant inspection as outlined in Boeing Service Bulletin No. 1995(R-2), paragraph 3, Part Ib, and further explained in paragraph 3, Part I Service Bulletin No. 1995(R-2) under the heading "Ultrasonic Inspection Procedure".

(b) Before further flight, if cracks are detected in the affected skin area accomplish repairs in accordance with paragraph 3, Part II, "Repair Data", of Boeing Service Bulletin No. 1995(R-2) dated May 28, 1964, later FAA approved revisions, or an equivalent approved by the Aircraft Engineering Division, FAA Western Region.

(c) If no cracks are detected, reinspect at intervals of 550 hours' time in service from the last inspection in accordance with the inspection provisions of paragraph (a)(2). The repetitive inspections may be discontinued when the rework specified in paragraph 3, Part III, "Preventive Modification Data", steps a. through g., of Boeing Service Bulletin No. 1995(R-2) dated May 28, 1964, or an equivalent approved by the Aircraft Engineering Division, FAA Western Region, has been accomplished.

(d) Upon request of an operator, an FAA maintenance inspector, subject to prior approval of the Chief, Aircraft Engineering Division, FAA Western Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for such operator.

(Boeing Service Bulletin No. 1995(R-2) covers this same subject.)

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

This amendment shall become effective August 18, 1964.

Issued in Washington, D.C., on August 11, 1964.

G. S. MOORE,  
Director,  
Flight Standards Service.

[F.R. Doc. 64-8278; Filed, Aug. 17, 1964;  
8:45 a.m.]

## Title 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. C-797]

#### PART 13—PROHIBITED TRADE PRACTICES

##### Alva Laboratories, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.90 *History of product or offering*; § 13.190 *Results*; § 13.195 *Safety*; 13.195-60 *Product*; § 13.280 *Unique nature or advantages*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Alva Laboratories, Inc., et al., Chicago, Ill., Docket C-797, July 30, 1964]

*In the Matter of Alva Laboratories, Inc., a Corporation, and Emile Gerchenson and Samuel Karper, Individually and as Officers of Said Corporation, and Olian and Bronner, Inc., a Corporation*

Consent order requiring Chicago distributors of a drug preparation designated Alva-Tranquil and their advertising agency to cease representing falsely in advertising that all persons could take their preparation safely without a doctor's advice if they followed directions on the label, and that the drug was a newly-discovered kind of medicine, different from all others, and miraculous in results.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered*, That respondents Alva Laboratories, Inc., a corporation, and its officers, and Emile Gerchenson and Samuel Karper, individually and as officers of said corporation, and Olian and Bronner, Inc., a corporation, and its officers, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of the product "Alva-Tranquil", or any other preparation of similar composition or possessing substantially similar properties, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains any representation:

(a) For safe use which, directly or by implication, is inconsistent with any statement appearing on the label or in the labeling as to groups of persons who should not use the product at all or groups of persons who should not use the product unless directed by a physician.

(b) That any such preparation is a new or different or unique medication, or is miracle-like in action or results.

2. Disseminating, or causing to be disseminated, by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of respondents' preparation, in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains any of the representations prohibited in Paragraph 1 hereof.

*It is further ordered*, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: July 30, 1964.

By the Commission.

[SEAL]

JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 64-8305; Filed, Aug. 17, 1964;  
8:48 a.m.]

[Docket No. C-795]

#### PART 13—PROHIBITED TRADE PRACTICES

##### General Motors Corp. et al.

Subpart—Advertising falsely or misleadingly: § 13.20 *Comparative data or merits*; § 13.265 *Tests and investigations*; § 13.280 *Unique nature or advantages*. Subpart—Disparaging competitors and their products—Competitors' Products: § 13.1000 *Performance*. Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, General Motors Corporation (Detroit 2, Mich.), et al., Docket C-795, July 27, 1964]

*In the Matter of General Motors Corporation, Dancer-Fitzgerald-Sample, Inc. and United States Testing Company, Inc., Corporations*

Consent order requiring the manufacturer of "Frigidaire" washing machines, its advertising agency, and a company engaged in conducting tests of materials and commodities for manufacturers, to cease representing falsely—as was done in radio and television broadcasts and in advertising circulars—that Frigidaire washers were superior in overall performance to washers produced by five other leading manufacturers with respect to each of the points listed, and that the tests were independently designed by respondent testing company.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*Part I. It is ordered*, That respondent General Motors Corporation, a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of wash-



ing machines or any other household appliance in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that any product has been tested, either alone or in comparison with other products, and that such test proves or supports a claim as to the performance of such product, unless such representations clearly and accurately reflect the test results and unless the tests themselves are so devised and conducted as to constitute a creditable basis for any such representation. This paragraph shall not prohibit any advertisement which does not reasonably imply that a test had been made. References in advertising or promotional material to standards or certifications promulgated, generally recognized and used by the industry as a basis for measuring or testing the performance characteristics of household appliances, such as those standards promulgated by NEMA and other recognized trade associations, where such references merely claim that an appliance will perform in a stated fashion when measured in accordance with a specified NEMA or other recognized standard, will not constitute a violation of this paragraph as long as the household appliance performs in accordance with such advertised claim. The use in sales promotion or advertising of references to results of tests by wholly independent, disinterested and non-commercial testing agencies, such as Consumers Union or Underwriters Laboratories, will not violate this paragraph so long as the representation involved fairly and accurately reflects the published results of the tests.

2. Making any representations of the type described in Paragraph 1 above where the products upon which the tests are made are not representative, with respect to the factors tested, of such products advertised, offered for sale or sold to members of the purchasing public by the respective manufacturers of the products tested.

3. Failing to disclose clearly and conspicuously, in conjunction with any overall performance test results claimed for a product, each performance characteristic of the product, a test of which serves as a basis for such claim, and the relative position of the advertised product in the test of each such performance characteristic.

4. Failing to reveal clearly and conspicuously, in conjunction with any representations concerning tests of any product, that the testing methods or procedures were not independently and finally determined by the testing agency, if such is the fact. This paragraph of the order will not apply to tests conducted by wholly independent, disinterested, non-commercial testing agencies, such as Consumers Union or Underwriters Laboratories.

*Part II. It is ordered,* That respondent Dancer-Fitzgerald-Sample, Inc., a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the advertising of washing machines or any Frigidaire

household appliance in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that any product has been tested, either alone or in comparison with other products, and that such test proves or supports a claim as to the performance of such product, unless such representations clearly and accurately reflect the test results and unless respondent, if it did not participate in the tests, requires a written test report from those making the tests, and the tests themselves as reflected in such report or as participated in by respondent, as the case may be, constitute a creditable basis for any such representation; provided that this paragraph shall not prohibit any advertisement which does not reasonably imply that a test had been made. References in advertising or promotional material to standards or certifications promulgated, generally recognized and used by the industry as a basis for measuring or testing the performance characteristics of household appliances, such as those standards promulgated by NEMA and other recognized trade associations, where such references merely claim that an appliance will perform in a stated fashion when measured in accordance with a specified NEMA or other recognized standard, will not constitute a violation of this paragraph as long as the household appliance performs in accordance with such advertised claim. The use in sales promotion or advertising of references to results of tests by wholly independent, disinterested and non-commercial testing agencies, such as Consumers Union or Underwriters Laboratories, will not violate this paragraph so long as the representation involved fairly and accurately reflects the published results of the tests.

2. Making any representations of the type described in Paragraph 1 above where the products upon which the tests are made are not representative, with respect to the factors tested, of such products advertised, offered for sale or sold to members of the purchasing public by respondent and by the manufacturers of the other products tested; provided that respondent shall not be in violation of this paragraph if it acts in good faith upon a written certification, signed by the testing agency or the manufacturer or seller, that the products tested are representative, with respect to the factors tested, of such products advertised, offered for sale or sold to members of the purchasing public by the respective manufacturers of the products tested.

3. Failing to disclose clearly and conspicuously, in conjunction with any overall performance test results claimed for a product, each performance characteristic of the product, a test of which serves as a basis for such claim, and the relative position of the advertised product in the test of each such performance characteristic.

4. Failing to reveal clearly and conspicuously in conjunction with any representations concerning tests of any product that the testing methods or procedures were not independently and

finally determined by the testing agency, if such is the fact. This paragraph of the order will not apply to tests conducted by wholly independent, disinterested, noncommercial testing agencies, such as Consumers Union or Underwriters Laboratories.

*Part III. It is further ordered,* That respondent United States Testing Company, Inc., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the conducting of tests of any washing machines or any other household appliance and the furnishing of reports of such tests to any manufacturer or seller of such products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Furnishing any reports of any tests that prove or purport to prove or support a claim as to the performance of such product, either alone or in comparison with other products, with knowledge or reason to know that such test reports or any information contained therein will be used by such manufacturer or seller to advertise any of such products, unless such reports clearly and accurately reflect the test methods and test results and unless the tests themselves are so devised and conducted as to constitute a creditable basis for the test results or for any representation in the report of the quality or merits of the product tested.

2. Authorizing or approving any advertisement referring to or based upon any report of the type described in Paragraph 1 above of any test or tests made by respondent of any such product, unless such report clearly and accurately reflects the test methods and test results and unless the tests themselves are so devised and conducted as to constitute a creditable basis for the test results, or for any representation in such report, or for any representation in any such advertisement of the quality or merits of the product tested and included in such report; provided that this paragraph shall not apply to any advertisement that does not reasonably imply that a test had been made.

3. Authorizing or approving any advertisement referring to or based upon any report of the type described in Paragraph 1 above of any test or tests made by respondent of any such product which advertisement fails to disclose clearly and conspicuously in conjunction with any over-all performance test results claimed for such product each performance characteristic, a test of which serves as a basis for such claim, and the relative position of the advertised product in the test of each such performance characteristic.

4. Authorizing or approving any advertisement referring to or based upon any report of the type described in Paragraph 1 above of any test or tests made by respondent of any such product which advertisement fails to reveal clearly and conspicuously, in conjunction with any representations concerning tests made by respondent of any product, that the testing methods or procedures were not independently and finally determined by the testing agency, if such is the fact.

5. Authorizing or approving any advertisement referring to or based upon any report of the type described in Paragraph 1 above of any test or tests made by respondent of any such product:

(a) Without having obtained from the manufacturer or seller for whom such tests are made a certification that the product or products, which are supplied or furnished by such manufacturer or seller and upon which the tests are made, are representative with respect to the factors tested, of such products to be advertised or being advertised or to be offered for sale or being offered for sale, or to be sold or being sold, to members of the purchasing public by such manufacturer or seller and by the manufacturers or sellers of any other products tested, and

(b) with knowledge or reason to know, as to those products that are not supplied or furnished by such manufacturer or seller, that the product or products upon which the tests are made are not representative, with respect to the factors tested, of such products as are being advertised, or are being offered for sale or being sold to members of the purchasing public at the time that the products tested are obtained.

*It is further ordered*, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: July 27, 1964.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 64-8306; Filed, Aug. 17, 1964;  
8:48 a.m.]

[Docket No. C-796]

## PART 13—PROHIBITED TRADE PRACTICES

### Phillip Shlansky & Sons, Inc., et al.

Subpart—Furnishing false guaranties: § 13.1053 *Furnishing false guaranties*: § 13.1053-90 Wool Products. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*: § 13.1108-45 Fur Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: § 13.1185-90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements*: § 13.1212-30 Fur Products Labeling Act; § 13.1212-80 Textile Fiber Products Identification Act; § 13.1212-90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*: § 13.1845-80 Wool Products Labeling Act; § 13.1852 *Formal regulatory and statutory requirements*: § 13.1852-35 Fur Products Labeling Act; § 13.1852-80 Wool Products Labeling Act; § 13.1852-70 Textile Fiber Products Identification Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 72 Stat. 1717; secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68, 69f, 70) [Cease and desist order, Phillip Shlansky &

Sons, Inc., et al., New York, N.Y., Docket C-796, July 30, 1964]

*In the Matter of Phillip Shlansky & Sons, Inc., Donnybrook, Ltd., Brookleigh Ltd., Mansfield Tailleurs, Ltd., Corporations, and Phillip Shlansky, Irwin Shlansky, and Martin Shlansky, Individually and as Officers of Said Corporations*

Consent order requiring three associated companies engaged in New York City in the manufacture of ladies' coats and suits to cease violating the Wool Products Labeling Act by such practices as labeling ladies' coats as "interlinings 90 percent wool, 10 percent other fiber" when the interlinings contained a substantial quantity of reprocessed or reused wool, tagging as "Acetate Rayon Lining", coats the linings of which contained no rayon; failing to label certain coats; failing to disclose the presence of reprocessed or reused wool and the percentage thereof in interlinings of other coats; failing to label samples or swatches; setting forth the percentages of fibers in the front and back of pile fabrics improperly; and furnishing false guaranties that certain of their said wool products were not misbranded; to cease violating the Fur Products Labeling Act by failing to label fur products; failing to set forth required information on labels on samples; and failing to comply in other respects with labeling and invoicing requirements; and to cease violating the Textile Fiber Products Identification Act by failing to label textile fiber products; labeling samples or swatches and the front and back of pile fabrics improperly; and failing to keep proper records showing the fiber content of the textile fiber products they manufactured.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered*, That respondents Phillip Shlansky & Sons, Inc., Donnybrook, Ltd., Brookleigh Ltd., Mansfield Tailleurs, Ltd., corporations and their officers, and Phillip Shlansky, Irwin Shlansky, and Martin Shlansky, individually and as officers of said corporations, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the offering for sale, sale, transportation, delivery for shipment, shipment, or distribution in commerce, of any wool product as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding wool products by:

1. Falsely or deceptively stamping, tagging, labeling or otherwise identifying such products as to the character or amount of the constituent fibers included therein.

2. Failing to affix to or place on each such wool product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

3. Failing to affix labels to samples, swatches, or specimens of wool products used to promote the sale of wool products showing each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

4. Failing to set forth respective percentages of fibers contained in the front and back of pile fabrics in such a manner as to give the ratio between the front and back of each such fabric where an election is made to separately set out the fiber content of the face and back of wool products containing pile fabrics.

*It is further ordered*, That respondents Phillip Shlansky & Sons, Inc., Donnybrook, Ltd., Brookleigh Ltd., Mansfield Tailleurs, Ltd., corporations, and their officers and Phillip Shlansky, Irwin Shlansky, and Martin Shlansky, individually and as officers of said corporations, and respondents' representatives, agents and employees, directly or through any corporate or other device do forthwith cease and desist from furnishing a false guaranty that any wool product is not misbranded under the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder when there is reason to believe that any wool product so guaranteed may be introduced, sold, transported or distributed, in commerce as the term "commerce" is defined in the aforesaid Act.

*It is further ordered*, That respondents Phillip Shlansky & Sons, Inc., Donnybrook, Ltd., Brookleigh Ltd., Mansfield Tailleurs, Ltd., corporations, and their officers and Phillip Shlansky, Irwin Shlansky, and Martin Shlansky, individually and as officers of said corporations, and respondents' representatives, agents and employees, directly or through any corporate or other device in connection with the introduction, or manufacture for introduction, into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce of any fur product; or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation, or distribution of any fur product which is made in whole or in part of fur which has been shipped and received in commerce as the terms "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act do forthwith cease and desist from:

A. Misbranding fur products by:

1. Failing to affix labels to fur products showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

2. Failing to set forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder on labels in the sequence required by Rule 30 of the aforesaid rules and regulations.

3. Failing to affix labels showing each element of the information required under the Fur Products Labeling Act and the rules and regulations thereunder to samples of fur products used to promote or effect the sale of fur products.



4. Failing to set forth on labels the item number or mark assigned to a fur product.

B. Falsely or deceptively invoicing fur products by failing to set forth on invoices the item number or mark assigned to fur products.

*It is further ordered,* That respondents Philip Shlansky & Sons, Inc., Donnybrook, Ltd., Brookleigh Ltd., Mansfield Tailleurs, Ltd., corporations and their officers, and Philip Shlansky, Irwin Shlansky, and Martin Shlansky, individually and as officers of said corporations, and respondents' representatives, agents and employees, directly or through any corporate or other device in connection with the introduction, delivery for introduction, manufacture for introduction, sale, advertising or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or the importation into the United States, of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Failing to affix labels to such textile fiber products showing each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

2. Failing to affix labels showing the respective fiber content and other required information to samples, swatches and specimens of textile fiber products subject to the aforesaid Act which are used to promote or effect sales of such textile fiber products.

3. Failing to set forth respective percentages of fibers contained in the front and back of pile fabrics in such a manner as to give the ratio between the front and back of each such fabric where an election is made to separately set out the fiber content of the face and back of textile products containing pile fabrics.

*It is further ordered,* That respondents Philip Shlansky & Sons, Inc., and Donnybrook, Ltd., Brookleigh Ltd., Mansfield Tailleurs, Ltd., corporations and their officers, and Philip Shlansky, Irwin Shlansky, and Martin Shlansky, individually and as officers of said corporations, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, manufacture for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or the importation into the United States of textile fiber products; or in connection with the sale, offering

for sale, advertising, delivery, transportation, or causing to be transported, textile fiber products, which have been advertised or offered for sale in commerce; or in the connection with the sale, offering for sale, advertising, delivery, transportation or causing to be transported, after shipment in commerce, of textile fiber products, whether in their original state or contained in other textile fiber products as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from failing to maintain records of fiber content of textile fiber products manufactured by them, as required by section 6(a) of the Textile Fiber Products Identification Act and Rule 39 of the regulations promulgated thereunder.

*It is further ordered,* That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: July 30, 1964.

By the Commission.

[SEAL]

JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 64-8307; Filed, Aug. 17, 1964;  
8:48 a.m.]

## Title 18—CONSERVATION OF POWER AND WATER RESOURCES

### Chapter I—Federal Power Commission

[Docket No. 265; Order No. 284]

### PART 2—GENERAL POLICY AND INTERPRETATIONS

#### Area Price Levels for Sales of Natural Gas by Producers; Correction

AUGUST 6, 1964.

In Order No. 284, amending statement of general policy No. 61-1 (18 CFR 2.56), issued July 28, 1964 and published in the FEDERAL REGISTER August 1, 1964 (F.R. Doc. 64-7672; 29 F.R. 11154), insert under Order No. 284, "Ninth Amendment".

GORDON M. GRANT,  
Acting Secretary.

[F.R. Doc. 64-8284; Filed, Aug. 17, 1964;  
8:46 a.m.]

[Docket No. R-254; Order No. 285]

### PART 157—APPLICATIONS FOR CER- TIFICATES OF PUBLIC CONVEN- IENCE AND NECESSITY AND FOR ORDERS PERMITTING AND AP- PROVING ABANDONMENT UNDER SECTION 7 OF THE NATURAL GAS ACT

#### Abbreviated Applications

AUGUST 12, 1964.

Natural gas pipeline companies—bud-  
get-type certificate applications for gas-

sales transportation and underground gas storage facilities.

The Federal Power Commission, by notice issued December 24, 1963 (29 F.R. 22, January 1, 1964), proposed to amend its regulations under the Natural Gas Act to permit the use by natural gas pipeline companies of budget-type applications for certificates of public convenience and necessity authorizing the construction of gas-sales facilities pursuant to section 7 of the Natural Gas Act.

In response to the invitation in our notice, comments were received from seventeen pipeline companies, five distributors, two state commissions and an association representing the coal interests. Most of the comments were generally favorable and suggested various modifications, many of which we are adopting.

Two suggestions of some significance, however, are not being adopted. There were several suggestions to increase the allowable total investment from the \$300,000 proposed to as much as \$500,000. We are of the opinion, however, that the lower limit is appropriate for the minor type of facilities intended to be covered in budget-type applications, and that if higher amounts are contemplated a request for waiver of the limit detailing the reasons therefor shall be submitted. As we secure greater experience with this new type of budget proceeding we shall, of course, reevaluate the dollar limit.

We do not adopt the suggestions that the rule be made applicable to applications proposing to serve existing distributor customers for initial service in communities not having gas service. The possibility of controversy between distributors proposing new service to such a community makes such a suggestion unwise.

We are adopting several suggestions—some to broaden and others to clarify the rule. We are broadening the rule to permit budget applications to cover direct sales to schools and hospitals in rural areas and to provide for the construction and operation of all facilities necessary to make the sales permitted herein. (§ 157.7 (c) (i) (ii)). To avoid any ambiguity as to service to existing customers of distributors, a budget-type application may not be utilized to make an industrial sale to a customer of a distributor without the written consent of the distributor. (§ 157.7 (c) (7) (ii)).

Finally, we are adding another paragraph to permit the use of budget-type applications for certificates authorizing facilities for the testing and development of underground reservoirs for the possible storage of gas (§ 157.7 (d)). This amendment was not included in the notice of proposed rulemaking issued in this proceeding but we believe that underground storage projects should be encouraged and the new paragraph should have such a desirable effect. The amendment, similar in purpose to the one which was proposed, is, in reality, a relaxation of the rules relating in general to applications for certificates of public convenience and necessity and will in our opinion be welcomed by the industry, the distributors and state commissions alike.

Upon consideration of the record in this proceeding, the Commission further finds:

(1) Adoption of these amendments to the Regulations Under the Natural Gas Act are necessary and appropriate to the administration of the Natural Gas Act.

(2) For the reasons heretofore expressed, good cause exists for the adoption herein of the amendment to § 157.7 embodied in the new paragraph (d) thereof without giving the prior notice provided for by section 4 of the Administrative Procedure Act.

The Commission, acting pursuant to the authority granted by the Natural Gas Act, as amended, particularly sections 7, 15, and 16 thereof (52 Stat. 824, 829, 830; 56 Stat. 83, 84; 15 U.S.C. 717f, 717n, 717o, orders:

(A) Section 157.7 Subchapter E, Chapter I, Title 18 of the Code of Federal Regulations, as amended by Order No. 280, is amended by adding new paragraphs (c) and (d) to read as follows:

**§ 157.7 Abbreviated applications.**

(c) *Gas-sales or transportation facilities—budget-type application.* An abbreviated application requesting a budget-type certificate authorizing the construction during a given twelve-month period, and operation of gas-sales or transportation facilities may be filed when:

(1) The facilities proposed in the application are to be used for any of the following purposes:

(i) The transportation and sale of volumes of natural gas previously authorized under certificates for transportation or sale to existing distributors at rates on file with this Commission, for resale in existing market areas, if such distributors have obtained all requisite local and state authorization. An abbreviated application may not be filed pursuant to this section if the distributor is to be required to make a contribution to the applicant for the cost of construction of the facilities or if the distributor is served or is proposed to be served by more than one natural gas company;

(ii) Direct sales of natural gas to consumers who will use the gas solely for one or more of the following purposes: road building, irrigation, agriculture, general use in schools and hospitals located in areas outside of local distributors' franchise areas, and seasonal industrial purposes (e.g. alfalfa dehydration, canning);

(iii) Miscellaneous rearrangements not resulting in any change of service rendered by means of the facilities involved, e.g., changes in existing field operations or relocation of existing sales or transportation facilities when required by highway construction, dam construction or other similar reasons.

(2) The deliveries to any one distributor or consumer through the facilities to be installed will not exceed 100,000 Mcf annually and will not be used by the distributor or consumer for boiler fuel purposes.

(3) (i) The total estimated cost of the gas-sales or transportation facilities

proposed in the application does not exceed \$300,000 except where the applicant's gas plant (Account No. 101, Uniform System of Accounts Prescribed for Natural Gas Companies) is \$10,000,000 or less, in which case the total estimated cost of the gas-sales facilities proposed in the application shall not exceed \$100,000.

(ii) Any application proposing the construction of facilities having an estimated cost in excess of the amounts specified in subdivision (i) of this subparagraph shall be accompanied by a request for waiver of the provisions of such subdivision and will be granted only for good cause shown.

(4) The application contains a statement showing the minimum rate, i.e., price per Mcf, at which the applicant proposes to make direct industrial sales.

(5) The application contains a statement indicating the maximum facilities to be installed during the authorized construction period subdivided by type of project, e.g., new delivery points for distributors, direct sales to ultimate consumers and miscellaneous rearrangements, and describing the maximum number of lateral or loop lines to be installed and their maximum length and diameter, the maximum number of taps and meters to be installed, and the estimated cost of facilities for each such type or project.

(6) The application also contains a statement describing and estimating the cost of the gas-sales facilities which, at the time of application, are contemplated to be built.

(7) The applicant agrees that any certificate issued pursuant to an application filed under this paragraph (c) shall be subject to the following conditions:

(i) Direct industrial deliveries to interruptible customers shall be subject to curtailment and interruption if the gas is required to meet the existing or future contract demands of applicant's customers for firm resale service.

(ii) No gas shall be delivered directly to a direct industrial customer to replace or supplement gas purchased by such customer from a distributor or other natural gas company without the written consent of such distributor or natural gas company, or to serve a new direct industrial customer in the franchise or service area of the distributor without the express consent of the distributor.

(8) The applicant agrees to file with the Commission, within sixty days after expiration of the authorized construction period, a statement showing for each individual project:

(i) Description of the gas-sales or transportation facilities installed, e.g., miles and size of pipeline (including wall thickness and minimum yield point), taps, laterals, lateral loop lines, metering and regulating facilities.

(ii) Location of gas-sales or transportation facilities installed and new delivery points established.

(iii) Actual installed cost of gas-sales or transportation facilities subdivided by size of pipeline, taps, laterals, lateral loop lines, metering and regulating facilities, and appurtenant facilities.

(iv) Name of distributor or direct industrial consumer served.

(v) Estimated annual and peak-day deliveries and estimated annual revenues for each of the first 3 years of natural gas service, designating which service is under FPC rate schedules.

(vi) Ultimate use of the gas.

(9) "Boiler fuel purposes," as used herein, means the use of natural gas in boilers for the generation of steam for electric power generation. "Distributors" means persons, municipalities, and other public agencies engaged in the local distribution of natural gas to the public.

(d) *Underground gas storage facilities—budget-type application.* An abbreviated application requesting a budget-type certificate authorizing the construction and operation of natural gas pipeline and compression facilities for the testing and development of underground reservoirs for the possible storage of gas for a three-year period may be filed when:

(1) The volume of natural gas to be injected into the prospective storage fields does not exceed a total of 10,000,000 Mcf, with no more than 2,000,000 Mcf being injected into any single field.

(2) Gas will be injected for testing purposes only during off-peak periods.

(3) No storage field developed pursuant to this section will be utilized to render service without further authorization by the Commission; except that gas may be withdrawn on occasion for testing purposes.

(4) The total expenditures for the three-year period does not exceed \$3,000,000 or \$1,000,000 for any one-year period. These costs shall include expenditures for leases, wells, pipeline, compressor and related facilities, but shall not include the cost of the gas to be used for testing purposes.

(5) The cost of any project ultimately determined to be infeasible for storage shall be charged to Account No. 822 of Part 201, Underground Storage Exploration and Development Expenses.

(6) Applicant agrees to submit within 60 days after the end of each year of the three-year budget period a statement, under oath, showing for each project:

(i) A description of the facilities constructed and the type of storage reservoir; i.e., gas expansion or dry gas, water-drive or aquifer.

(ii) The location of the facilities.

(iii) The cost of such facilities.

(iv) The monthly volumes of gas injected into and withdrawn from each reservoir.

(v) An estimate of the storage capacity and daily deliverability of each project.

(7) If the reservoir to be tested and developed is an aquifer-type reservoir, applicant agrees to submit for each such project quarterly reports, under oath, containing the following information in addition to the data required by subparagraph (6) of this paragraph:

(i) The daily volumes of natural gas injected into and withdrawn from the aquifer during the quarter and the volume of gas in the aquifer at the end of each month.

(ii) The maximum daily injection or withdrawal rate experienced during the quarter and the average working pressure on such maximum days taken at a central measuring point where the total volume injected or withdrawn is measured.

(iii) Results of any tracer program by which leakage of gas may be determined.

(iv) Any pressure surveys of gas wells and water levels in observation wells conducted during the quarter by individual well. Copies of any core analyses, gamma ray, neutron or other electric log surveys and back-pressure tests taken during the quarter.

(v) A map of the storage project showing the location of the wells, the latest revised structure contours, the location and extent of the gas bubble. This map need not be filed if there is no material change from the map previously filed.

(vi) Such other data or reports which may aid the Commission in the evaluation of the project.

(vii) Reports shall continue to be filed quarterly through the three-year period and thereafter until the project is either certificated for regular service or abandoned, unless otherwise ordered by the Commission.

(Secs. 7, 15, 16, 52 Stat. 824, 829, 830 as amended, 56 Stat. 83, 84; 15 U.S.C. 717f, 717n, 717o)

(B) The caption of this proceeding is amended to read as set forth above.

(C) The amendments herein adopted shall be effective August 12, 1964.

(D) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] GORDON M. GRANT,  
*Acting Secretary.*

[F.R. Doc. 64-8292; Filed, Aug. 17, 1964;  
8:46 a.m.]

## Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs,  
Department of the Treasury

[T.D. 56238]

### PART 16—LIQUIDATION OF DUTIES

Countervailing Duties—Fortified  
Wines From Australia

T.D. 55365, approved April 10, 1961 (26 F.R. 3234), modified the countervailing duty order on Australian fortified wines, T.D. 51476 (11 F.R. 6912), to limit its application to exports from Australia made prior to May 31, 1955. In view of the passage of time since this date, it is no longer likely that importations subject to the countervailing duty order would be made. Section 16.24(f) is amended, therefore, by deleting therefrom the listing of "Fortified wines" in the "Commodity" column, and all matter pertaining thereto in the two columns to the right of that listing.

(Secs. 303, 624, 46 Stat. 687, 759; 19 U.S.C. 1303, 1624)

[SEAL] PHILIP NICHOLS, Jr.,  
*Commissioner of Customs.*

Approved: August 10, 1964.

JAMES A. REED,  
*Assistant Secretary of the  
Treasury.*

[F.R. Doc. 64-8309, Filed, Aug. 17, 1964;  
8:48 a.m.]

## Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers,  
Department of the Army

### PART 203—BRIDGE REGULATIONS

Tybee (Bull) River, Ga.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.404 is hereby amended changing the title, deleting references to the highway bridge across Turner Creek, Ga., and revising the regulations governing the operation of the highway bridge across Tybee (Bull) River, Ga., effective on publication in the FEDERAL REGISTER in order to reduce highway traffic congestion immediately, as follows:

§ 203.404 Tybee (Bull) River, Ga.; highway bridge on U.S. Highway 80 between Savannah Beach and Thunderbolt.

(a) The owner or agency controlling the bridge may keep the drawspan closed to navigation between 7:00 a.m. and 10:00 a.m. and between 4:00 p.m. and 7:00 p.m., except on the hour, when the bridge shall be opened to allow all accumulated vessels to pass, with the exception that during the period 1 April to 30 September, both dates inclusive, on Saturdays the drawspan will remain closed to navigation between 7:00 a.m. and 10:00 p.m., except on the hour, when the bridge will be opened to allow all accumulated vessels to pass, and on Sundays, July 4 and Labor Day the drawspan will remain in closed position between 6:00 a.m. and 10:00 p.m.

(b) The draw shall be opened at any time to allow the passage of a tow, common carrier, Coast Guard vessel, or vessel in distress.

(c) The owner or agency controlling the bridge shall keep a copy of the regulations of this section conspicuously posted on both the upstream and downstream sides of the bridge in such a manner that it can be easily read at any time.

(Regs., July 29, 1964, 1507-32 (Tybee (Bull) River, Ga.)—ENGOW-ON) (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

J. C. LAMBERT,  
*Major General, U.S. Army,  
The Adjutant General.*

[F.R. Doc. 64-8294; Filed, Aug. 17, 1964;  
8:46 a.m.]

## PART 207—NAVIGATION REGULATIONS

St. Johns River, Fla. and Puget Sound  
Area, Wash.

1. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.166 governing the use and navigation of a restricted area in St. Johns River at Green Cove Springs, Fla., is hereby revoked effective on publication in the FEDERAL REGISTER, since the area is no longer needed, as follows:

§ 207.166 St. Johns River, Fla.; naval restricted area, U.S. Naval Station, Green Cove Springs, Fla. [Revoked].

(Regs., August 3, 1964, 1507-32 (St. Louis River, Fla.)—ENGOW-ON) (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

2. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.750 is hereby amended changing the title of paragraph (b) and redesignating the boundaries of the naval restricted area in Oak Harbor and Crescent Harbor, Whidbey Island, Wash., effective upon publication in the FEDERAL REGISTER, since the area in Oak Harbor is no longer needed, as follows:

§ 207.750 Puget Sound Area, Wash.

(b) *Crescent Harbor, Whidbey Island; naval restricted area.* (1) *The area.* Beginning at Point Polnell at N. latitude 48°16'21", W. longitude 122°33'27"; thence approximately 167°, 0.2 mile to buoy located at N. latitude 48°16'07", W. longitude 122°33'23"; thence approximately 181°, 1.14 miles to N. latitude 48°15'00", W. longitude 122°33'24"; thence approximately 234°, 1.32 miles to N. latitude 48°14'14", W. longitude 122°35'00"; thence approximately 273°, 1.34 miles to N. latitude 48°14'18", W. longitude 122°37'00"; thence approximately 0°, 1.08 miles to N. latitude 48°15'23", W. longitude 122°37'00"; thence approximately 342° 0.85 mile to the shore near Forbes Point Light at N. latitude 48°16'10", W. longitude 122°37'22"; thence along the high water line of Crescent Harbor to the point of beginning.

(2) *The regulations.* Naval seaplane and demolition operations of a hazardous nature are conducted continuously within this area. No vessel shall enter this area or navigate therein without permission of the Commandant, Thirteenth Naval District, or his authorized representative.

(Regs. August 3, 1964, 1507-32 (Puget Sound Area, Wash.)—ENGOW-ON) (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

J. C. LAMBERT,  
*Major General, U.S. Army,  
The Adjutant General.*

[F.R. Doc. 64-8295; Filed, Aug. 17, 1964;  
8:47 a.m.]

## RULES AND REGULATIONS

# Title 43—PUBLIC LANDS: INTERIOR

## Chapter II—Bureau of Land Management, Department of the Interior

### APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3428]

[Fairbanks 031751]

#### ALASKA

### Withdrawing Lands for Alaska National Guard Site

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Subject to valid existing rights, the following described public land is hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws but not from leasing under the mineral leasing laws, and reserved under the jurisdiction of the Department of the Army for use of the Alaska National Guard:

KWIGUK (EMMONAAK)

Beginning at a point, from which corner No. 1 of U.S. Survey 4095 bears S. 12°55' E., 460 feet.

From the initial point, by metes and bounds,  
N. 90°00' E., 142 feet;  
N. 0°00' 165 feet;  
S. 90°00' W., 188 feet;  
S. 12°55' E., 170 feet to the initial point, the place of beginning.

The tract described contains 0.62 acre.

The withdrawal made by this order does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral and vegetative resources, other than under the mining laws.

JOHN A. CARVER, Jr.,  
*Assistant Secretary of the Interior.*

AUGUST 12, 1964.

[F.R. Doc. 64-8296; Filed, Aug. 17, 1964; 8:47 a.m.]

[Public Land Order 3429]

[BLM 077983]

#### MICHIGAN

### Adding Lands to Hiawatha National Forest

By virtue of the authority contained in the Act of July 9, 1962 (76 Stat. 140; 43 U.S.C. 315g-1), and upon the recommendation of the Secretary of Agriculture, it is ordered as follows:

Subject to existing valid rights, the following described public lands in Michigan are hereby added to and made a part of the Hiawatha National Forest and shall hereafter be subject to all laws and regulations applicable to the said national forest.

MICHIGAN MERIDIAN

SCHOOLCRAFT COUNTY

T. 44 N., R. 17 W.,  
Sec. 19, SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 26, N $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ .

ALGER COUNTY

T. 47 N., R. 20 W.,  
Sec. 31, SW $\frac{1}{4}$ NE $\frac{1}{4}$ .

The areas described aggregate 234.82 acres.

JOHN A. CARVER, Jr.,  
*Assistant Secretary of the Interior.*

AUGUST 12, 1964.

[F.R. Doc. 64-8297; Filed, Aug. 17, 1964; 8:47 a.m.]

[Public Land Order 3430]

[BLM 077925]

#### MICHIGAN

### Adding Lands to the Hiawatha National Forest

By virtue of the authority contained in the Act of July 9, 1962 (76 Stat. 140; 43 U.S.C. 315g-1), and upon the recommendation of the Secretary of Agriculture, it is ordered as follows:

Subject to valid existing rights, the following described public lands in Michigan are hereby added to and made a part of the Hiawatha National Forest and hereafter shall be subject to all laws and regulations applicable to said national forest:

MICHIGAN MERIDIAN

T. 41 N., R. 17 W.,  
Sec. 32, lot 1.

Containing 24.15 acres.

JOHN A. CARVER, Jr.,  
*Assistant Secretary of the Interior.*

AUGUST 12, 1964.

[F.R. Doc. 64-8298; Filed, Aug. 17, 1964; 8:47 a.m.]

[Public Land Order 3431]

[Idaho 015193]

#### IDAHO

### Partly Revoking Stock Driveway Withdrawal

By virtue of the authority contained in section 10 of the Act of December 29, 1916 (39 Stat. 865; 43 U.S.C. 300), as amended, it is ordered as follows:

1. The departmental order of July 17, 1918, creating Stock Driveway No. 29, Idaho No. 2, is hereby revoked so far as it affects the following described lands:

BOISE MERIDIAN

T. 4 S., R. 4 E.,  
Sec. 20, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 21, S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 28, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 29;  
Sec. 30, lots 3, 4, E $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 31, lots 1, 2, 3, 4, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
E $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 32, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ .

Aggregating 2,739.83 acres.

2. The lands are located northerly from the C. J. Strike Reservoir, and the highway between Mountain Home and Grandview, Idaho, traverses the area. The soil mantle is comprised of light colored, deep, silty loam soils which are relatively free of surface rock. The sparse vegetative cover consists of sagebrush, native grasses and cheatgrass.

3. Commencing at 10:00 a.m. on September 17, 1964, the lands shall become subject to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals and the requirements of applicable law. All valid applications received at or prior to 10:00 a.m. on September 17, 1964 shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. The lands have been open to applications and offers under the mineral leasing laws, and to location under the mining laws, subject to the regulations in 43 CFR 3400.3 (formerly 43 CFR 185.35).

5. The State of Idaho has waived the preferred right of selection provided by section 2276(c) of the Revised Statutes as amended by the Act of August 27, 1958 (72 Stat. 928, 43 U.S.C. 851, 852).

Inquiries concerning the lands shall be addressed to the Manager, Land Office, BLM, Boise, Idaho.

JOHN A. CARVER, Jr.,

*Assistant Secretary of the Interior.*

AUGUST 12, 1964.

[F.R. Doc. 64-8299; Filed, Aug. 17, 1964; 8:47 a.m.]

# Title 47—TELECOMMUNICATION

## Chapter I—Federal Communications Commission

[Docket No. 15372; FCC 64-784]

### PART 85—PUBLIC FIXED STATIONS AND STATIONS OF THE MARITIME SERVICES IN ALASKA

#### Report and Order Relating To Ship-Shore Public Telephone Service in All Zones

1. Notice of proposed rule making in the above-captioned matter was released on March 12, 1964, and was published in the FEDERAL REGISTER on March 17, 1964 (29 F.R. 3442). Comments were invited by April 20, 1964 and reply comments by April 30, 1964.

2. Comments were filed by the Department of the Air Force. No other comments or reply comments have been filed.

3. This rule making resulted from a request from the Department of the Air Force for the amendment of Part 85 (formerly Part 14) of the Commission's rules so as to set forth an additional 2 Mc/s frequency for use by ship stations for communication with coast stations in the Alaska Communications System (hereinafter referred to as ACS) located in the Alaska area and open to

public correspondence. The department indicated that the availability of only one frequency for the purpose resulted in severe traffic congestion and interference in certain areas. The use of a second frequency 2240 kc/s would serve to relieve the problem.

4. In addition to proposing to amend § 85.260 so as to make 2240 kc/s available on July 1, 1964, the Commission proposed the deletion of the optional use of telegraph emission (Class A1) in the ACS ship-shore public correspondence service and, in anticipation of final rule making in Docket No. 15068, to establish technical standards and other requirements for the use of single sideband radiotelephone emission under Parts 81, 83 and 85 of the Commission's rules, also proposed the authorization of single sideband operations on the ship to shore frequencies concerned in § 85.260.

5. The Department of the Air Force, in addition to supporting the proposed amendment, recommended in their comments that the following arrangement be followed in implementing the new ACS ship-shore frequency assignments:

(1) Existing ship-shore receiving capabilities on 2134 kc/s at Kodiak, Juneau, Sitka, and Nome would be continued through January 1, 1965.

(2) Effective July 1, 1964 the new ship-shore frequency 2240 kc/s would be guarded by ACS coast stations at Kodiak, Juneau, Sitka and Nome to accommodate ships able to use the new frequency.

(3) Coast stations would continue to transmit on previously assigned frequencies for the remainder of the year. Transmission on the new coast station frequencies would begin on January 1, 1965.

6. Since the Department of the Air Force recommendations will avoid inconvenience to vessels and allow for an orderly transition to the new frequency arrangements, § 85.260 has been so revised as to reflect those recommendations. In view of the fact that the date July 1, 1964 has passed, the frequency 2240 kc/s has been made available to ship stations for communication with ACS coast stations upon the effective date of this order.

7. Authority for the amendments ordered herein is found in sections 303(c), (f), and (r) of the Communications Act of 1934, as amended.

8. It is ordered, That effective August 13, 1964, Part 85 of the Commission's rules is amended as set forth in the Appendix below.

Adopted: August 13, 1964.

Released: August 13, 1964.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

<sup>1</sup> Commissioner Lee, Acting Chairman, acting as a Board.

A. Part 85, Public Fixed Stations and Stations of the Maritime Services in Alaska, is amended as follows:

1. Section 85.260(a) is amended to read:

§ 85.260 Frequencies in the band 1605-3400 kc/s for ship-shore public telephone service in all zones.

(a) (1) The frequencies 2134 and 2240 kc/s are authorized carrier frequencies for use in all zones of the Alaska area by public ship stations, in accordance with Subpart E of this part, for communication exclusively with coast stations of the Alaska Communication System which are located in the Alaska area and are open to public correspondence. When transmitting on these frequencies to any ACS coast stations, ship stations shall employ A3, A3A, A3H, or A3J emission. The associated frequency to be used for transmission from the ACS coast station to the ship station shall be within the band 1605 to 3400 kc/s and shall be designated for each location by the ACS.

(2) Public ship stations shall use the frequencies shown below for working with the particular ACS coast stations designated herewith. The hours of service of each ACS coast station may be obtained upon request made to the ACS or to the Commission's Engineer in Charge at Anchorage, Alaska, or Seattle, Washington.

For communication with ACS coast stations located in the vicinity of—	Ship station transmitting carrier frequency (kc/s)	Associated ACS coast station carrier frequency (kc/s)
Anchorage, Alaska.....	2134	2312
Cold Bay, Alaska.....	2134	2312
Cordova, Alaska.....	2134	2312
Juneau, Alaska.....	2240	2400
Ketchikan, Alaska.....	2134	2312
King Salmon, Alaska.....	2134	2312
Kodiak, Alaska.....	2240	2400
Nome, Alaska.....	2240	2400
Petersburg, Alaska.....	2134	2312
Sitka, Alaska.....	2240	2400
Unalaska, Alaska.....	2134	2312

<sup>1</sup> 2134 kc/s may also be used until January 1, 1965.

<sup>2</sup> Available January 1, 1965. 2300 kc/s will be used until January 1, 1965.

<sup>3</sup> Available January 1, 1965. 2784 kc/s will be used until January 1, 1965.

<sup>4</sup> Available January 1, 1965. 2312 kc/s will be used until January 1, 1965.

(Secs. 4, 303, 48 Stat. 1066, as amended, 1082, as amended; 47 U.S.C. 154, 303)

[F.R. Doc. 64-8320; Filed, Aug. 17, 1964; 8:49 a.m.]

## Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

### PART 32—HUNTING

Mark Twain National Wildlife Refuge, Illinois.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

#### ILLINOIS

MARK TWAIN NATIONAL WILDLIFE REFUGE

Public hunting of upland game on the Mark Twain National Wildlife Refuge, Ill., is permitted only on the areas of the Gardner Unit designated by signs as open to hunting. These open areas, comprising 4,200 acres or 100 percent of the total Gardner Unit area, are delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: Squirrels only, black, gray, and fox, during the season specified below. The hunting of upland game species, as may be otherwise authorized by Illinois State regulation, is prohibited.

(b) Open season: From September 1 through September 30, 1964, from sunrise to sunset each day.

(c) Daily bag limits: 5 squirrels per day.

(d) Methods of hunting:

(1) Weapons—shotguns and bows and arrows may be used.

(2) Dogs—not to exceed two per hunter.

(3) Guides—persons may employ guides while hunting on the area, subject to the restrictions of State law or regulation.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

(2) A Federal permit is required to enter the public hunting area. Permits may be obtained from the Mark Twain National Wildlife Refuge office, Quincy, Ill.

(3) The provisions of this special regulation are effective to October 1, 1964.

W. P. SCHAEFER,

Acting Regional Director, Bureau  
of Sport Fisheries and Wildlife.

AUGUST 10, 1964.

[F.R. Doc. 64-8300; Filed, Aug. 17, 1964; 8:47 a.m.]



# Proposed Rule Making

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration  
[ 21 CFR Part 133 ]

### MEDICATED ANIMAL FEEDS; MANUFACTURING PRACTICES AND CONTROLS

#### Notice of Proposed Rule Making

##### Correction

In F.R. Doc. 64-8140, appearing at page 11628 of the issue for Thursday, August 13, 1964, § 133.1(c) should read as follows:

#### § 133.1 Definitions.

(c) As used in this Part 133, the term "medicated feed" means any "complete feed," "feed additive supplement," or "feed additive concentrate," as defined in § 121.200 of this chapter, which feed contains one or more drugs as defined in section 201(g) of the act. The term "medicated feed" does not include any undiluted drug or "premix," as defined in § 121.200, intended for manufacturing use in the production of a medicated feed, since these are subject to §§ 133.3-133.14, inclusive.

## FEDERAL AVIATION AGENCY

[ 14 CFR Part 71 [New] ]

[Airspace Docket No. 63-SW-83]

### CONTROL ZONE AND TRANSITION AREA

#### Proposed Alteration and Revocation

The Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations, which would alter the controlled airspace in the El Dorado, Ark., terminal area.

The following controlled airspace is presently designated in the El Dorado, Ark., terminal area:

1. The El Dorado, Ark., control zone is designated as that airspace within a 5-mile radius of Goodwin Airport, El Dorado, Ark., (latitude 33°13'05" N., longitude 92°48'45" W.), and within 2 miles either side of the El Dorado VOR 052° radial extending from the 5-mile radius zone to 8 miles NE of the VOR.

2. The El Dorado, Ark., transition area is designated as that airspace extending upward from 1,200 feet above the surface within 8 miles NW and 5 miles SE of the El Dorado VORTAC 052° and 232° radials extending from the Goodwin Airport, El Dorado, Ark., to 18 miles NE of the VORTAC, excluding the airspace within federal airways.

3. The Camden, Ark., transition area is designated as that airspace extending upward from 1,200 feet above the surface

within 10 miles W and 7 miles E of the 352° and 172° bearings from Harrell Field, Ark., (latitude 33°37'05" N., longitude 92°46'00" W.), extending from 9 miles S to 20 miles N of the airport, excluding the airspace within Federal airways.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structure requirements in the El Dorado, Ark., terminal area, including studies attendant to the implementation of the provisions of CAR Amendments 60-21/60-29, proposes the following airspace actions:

1. Redesignate the El Dorado control zone as that airspace within a 5-mile radius of Goodwin Airport, El Dorado, Ark., (latitude 33°13'05" N., longitude 92°48'45" W.), and within 2 miles each side of the 052° bearing from the El Dorado RBN, extending from the 5-mile radius zone to 7.5 miles NE of the RBN.

2. Revoke the Camden transition area.

3. Redesignate the El Dorado transition area as that airspace extending upward from 700 feet above the surface within 5 miles SE and 8 miles NW of the 052° bearing from the El Dorado RBN, extending from the RBN to 12 miles NE, and within 5 miles SE and 8 miles NW of the El Dorado VOR 059° radial, extending from the VOR to 12 miles NE; that airspace extending upward from 1,200 feet above the surface within 5 miles SE and 8 miles NW of the 052° and 232° bearings from the El Dorado RBN, extending from 7 miles SW to 13 miles NE of the RBN, within 5 miles SE and 8 miles NW of the El Dorado VOR 059° and 239° radials, extending from 7 miles SW to 13 miles NE of the VOR, and within 5 miles each side of the 234° bearing from the El Dorado RBN extending from the RBN to 23 miles SW.

The floors of the airways that would traverse the transition area proposed herein would automatically coincide with the floor of the transition area.

The proposed alteration of the El Dorado control zone would reduce the NE extension, yet sufficient airspace would be retained for the protection of aircraft executing prescribed instrument approach and departure procedures at Goodwin Field.

The 700- and 1,200-foot portion of the proposed transition area would provide protection for aircraft executing prescribed instrument holding, arrival and departure procedures within the El Dorado terminal area.

Certain minor revisions to prescribed instrument procedures would be effected in conjunction with the actions proposed herein, but operational complexity would not be increased nor would aircraft performance characteristics or established landing minimums be adversely affected.

Specific details of the changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Air Traffic Division, Southwest

Region, Federal Aviation Agency, Fort Worth, Tex.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Agency, P.O. Box 1689, Fort Worth, Tex., 76101. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Agency, Fort Worth, Tex.

An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

(Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Fort Worth, Tex., on August 7, 1964.

ARCHIE W. LEAGUE,  
Director, Southwest Region.

[F.R. Doc. 64-8280; Filed, Aug. 17, 1964; 8:45 a.m.]

#### [ 14 CFR Part 71 [New] ]

[Airspace Docket No. 63-SW-84]

### CONTROL ZONE, TRANSITION AREA, AND CONTROL AREA EXTENSION

#### Proposed Alteration, Designation, and Revocation

The Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations which would alter the controlled airspace in the Walnut Ridge, Ark., terminal area.

The following controlled airspace is presently designated in the Walnut Ridge, Ark., terminal area:

1. The Walnut Ridge control zone is designated as that airspace within a 3-mile radius of Walnut Ridge Airport (latitude 36°07'30" N., longitude 90°55'-25" W.), and within 2 miles either side of the Walnut Ridge VOR 244° radial extending from the 3-mile radius zone to 10 miles SW of the VOR.

2. The Walnut Ridge control area extension is designated as that airspace within 10 miles SE and 7 miles NW of the Walnut Ridge VOR 064° and 244°



radials extending from 9 miles NE to 20 miles SW of the VOR.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structure requirements in the Walnut Ridge, Ark., terminal area, including studies attendant to the implementation of the provisions of CAR Amendments 60-21/60-29, proposes the following airspace actions:

1. Redesignate the Walnut Ridge control zone as that airspace within a 3-mile radius of the Walnut Ridge Airport (latitude 36°07'30" N., longitude 90°55'25" W.) and within 2 miles each side of the Walnut Ridge VOR 244° radial, extending from the 3-mile radius zone to 6.5 miles SW of the VOR.

2. Revoke the Walnut Ridge control area extension.

3. Designate the Walnut Ridge transition area as that airspace extending upward from 700 feet above the surface within a 5-mile radius of the Walnut Ridge Airport (latitude 36°07'30" N., longitude 90°55'25" W.) and within 2 miles each side of the Walnut Ridge VOR 244° radial extending from the 5-mile radius area to 8 miles SW of the VOR; that airspace extending upward from 1200 feet above the surface within 8 miles SE and 5 miles NW of the Walnut Ridge VOR 244° and 064° radials, extending from 13 miles SW to 7 miles NE of the VOR, and within 5 miles each side of the Walnut Ridge VOR 020° radial, extending from the VOR to 23 miles N, excluding that portion within the Memphis, Tenn., transition area.

The proposed alteration of the Walnut Ridge control zone would reduce the southwest extension, yet sufficient airspace would be retained for the protection of aircraft executing prescribed instrument approach and departure procedures at Walnut Ridge Airport.

The portion of the proposed Walnut Ridge transition area with a floor of 1200 feet above the surface would raise the floor of controlled airspace from 700 feet to 1200 feet and as a result, would make such airspace available for other uses, yet sufficient controlled airspace would be retained to provide adequate protection for aircraft executing prescribed instrument holding, arrival and departure procedures within the Walnut Ridge terminal area.

The floors of the airways that would traverse the transition area proposed herein would automatically coincide with the floor of the transition area.

Certain minor revisions to prescribed instrument procedures would be effected in conjunction with the actions proposed herein, but operational complexity would not be increased nor would aircraft performance characteristics or established landing minimums be adversely affected.

Specific details of the changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Air Traffic Division, Southwest Region, Federal Aviation Agency, Fort Worth, Tex.

Interested persons may submit such written data, views or arguments as they

may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Agency, P.O. Box 1689, Fort Worth, Tex., 76101. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Agency, Fort Worth, Tex.

An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

(Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Fort Worth, Tex., on August 7, 1964.

ARCHIE W. LEAGUE,  
Director, Southwest Region.

[F.R. Doc. 64-8281; Filed, Aug. 17, 1964; 8:45 a.m.]

## [ 14 CFR Part 71 [New] ]

[Airspace Docket No. 63-SW-46]

### TRANSITION AREA

#### Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 [New] of the Federal Aviation Regulations, which would alter the controlled airspace in the Flippin, Ark., terminal area.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structure requirements in the Flippin, Ark., terminal area, including studies attendant to the implementation of the provisions of CAR Amendments 60-21/60-29, proposes the following airspace action:

Designate the Flippin transition area as that airspace extending upward from 700 feet above the surface within an 8-mile radius of the Flippin Municipal Airport (latitude 36°17'30" N., longitude 92°35'20" W.), and within 2 miles each side of the Flippin VOR 086° radial extending from the 8-mile radius area to 8 miles E of the VOR; that airspace extending upward from 1200 feet above the surface within 8 miles N and 5 miles S of the Flippin VOR 266° and 086° radials extending from 7 miles W to 13 miles E of the VOR, and within 5 miles each side of the 360° bearing from the Flippin Municipal Airport (latitude 36°17'30" N., longitude 92°35'20" W.) extending from the airport to 12 miles N.

The floors of the airways that would traverse the transition area proposed herein would automatically coincide with the floor of the transition area.

The 700 and 1200 foot proposed transition area would provide protection for aircraft executing prescribed instrument holding, arrival and departure procedures within the Flippin terminal area.

Certain minor revisions to prescribed instrument procedures would be effected in conjunction with the actions proposed herein, but operational complexity would not be increased nor would aircraft performance characteristics or established landing minimums be adversely affected.

Specific details of the changes to procedures and minimum instrument flight rule altitudes that would be required may be examined by contacting the Chief, Air Traffic Division, Southwest Region, Federal Aviation Agency, Fort Worth, Tex.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Agency, P.O. Box 1689, Fort Worth, Tex., 76101. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Agency, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

(Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Fort Worth, Tex., on August 7, 1964.

ARCHIE W. LEAGUE,  
Director, Southwest Region.

[F.R. Doc. 64-8282; Filed, Aug. 17, 1964; 8:45 a.m.]

## [ 14 CFR Part 507 ]

[Reg. Docket No. 6144]

### AIRWORTHINESS DIRECTIVES

#### North American Model NA-265 Series Aircraft

The Federal Aviation Agency has under consideration a proposal to amend Part 507 of the Regulations of the Administrator to revise Amendment 626, 28 F.R. 10638, AD 63-21-6, for North American Model NA-265 Series aircraft.

Amendment 626 requires inspection of the external center wing fuselage intersection area for evidence of fuel leakage and repair if fuel leakage is detected. Since the issuance of Amendment 626 cracks have been discovered on Model NA-265 Series aircraft which were not included in the affected serial numbers of the original AD. This proposal would revise Amendment 626 to make it applicable to other Model NA-265 Series aircraft.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before September 17, 1964, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 507.10(a) of Part 507 (14 CFR Part 507), as follows:

Amendment 626, 28 F.R. 10638, AD 63-21-6, North American Model NA-265 Series aircraft, is amended by:

1. Changing the applicability statement to read:

Applies to Group I and Group II aircraft as indicated:

Group I: Model NA-265 Serial Numbers 265-1 through 265-75, Model NA-265-20 Serial Numbers 270-1 through 270-6, and Model NA-265-40 Serial Number 282-1.

Group II: Model NA-265 Serial Numbers 265-76 through 265-88 and 276-1 through 276-55, Model NA-265-30 Serial Numbers 277-1 through 277-10 and 285-1 through 285-21, and Model NA-265-40 Serial Numbers 282-2 through 282-16.

2. Changing paragraph (a) to read:

(a) Within the next 100 hours' time in service from November 4, 1963, for Group I aircraft, and within 100 hours' time in service from the effective date of this AD for Group II aircraft, and thereafter at periods not to exceed 100 hours' time in service from the last inspection, visually inspect the external center wing fuselage intersection area for evidence of fuel leakage.

Issued in Washington, D.C. on August 11, 1964.

G. S. MOORE,  
Director,  
Flight Standards Service.

[F.R. Doc. 64-8283; Filed, Aug. 17, 1964; 8:46 a.m.]

## FEDERAL POWER COMMISSION

18 CFR Parts 201, 204, 205, 260 I

[Docket No. R-232]

### ACCOUNTING FOR INVESTMENT TAX CREDIT BY PUBLIC UTILITIES, LICENSEES AND NATURAL GAS COMPANIES

#### Notice of Extension of Time

AUGUST 12, 1964.

Upon consideration of the request filed in the subject proceeding by the Committee on Accounts of the National Association of Railroad and Utilities Commissioners on July 30, 1964 for an extension of time within which to file data, views, and comments in writing relating to the notice of proposed rule making issued April 23, 1963;

Notice is hereby given that the time is extended from September 15, 1964 to October 1, 1964, within which any interested person may file data, views, and comments in writing concerning the proposed rule making.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 64-8286; Filed, Aug. 17, 1964; 8:46 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 274 I

[Release 34-7380, 40-4026]

### MANAGEMENT INVESTMENT COMPANIES

#### Proposed Revision of Annual Report Form

Notice is hereby given that the Securities and Exchange Commission has under consideration, pursuant to sections 30, 31, 38, and 45(a) of the Investment Company Act of 1940 ("Act") and sections 13, 15(d), 23(a), and 24 of the Securities Exchange Act of 1934, proposed revisions of annual report Form N-30A-1 (listed and described in 17 CFR 274.101) filed with the Commission by registered management investment companies, except those which issue periodic payment plan certificates and small business investment companies licensed as such under the Small Business Investment Act of 1958 which file annual reports with the Commission on Form N-5R (listed and described in 17 CFR 274.5). The revised form would be designated Form N-1R, and the various rules and regulations of the Commission which refer to the existing form would be appropriately amended to refer to the new designation.

Form N-30A-1 was last revised in a number of material respects in 1954. A further single amendment was adopted in 1956. Since then the Commission has instituted a program of inspections of registered investment companies and

their relationships with certain affiliated and other persons, including investment advisers and principal underwriters. In addition, in 1962 the Wharton School of Finance and Commerce, University of Pennsylvania, completed a comprehensive study on behalf of the Commission of major aspects of open-end investment companies, including their growth, organization and control, investment policy, performance, impact on securities markets, the extent of their control of portfolio companies, and the financial and other relationships of such investment companies with investment advisers and principal underwriters. (See "A Study of Mutual Funds," H.R. 2274, 87th Cong., 2d Sess.) The Commission's Special Study of Securities Markets, made pursuant to H.J. Res. 438, Public Law 196, 87th Cong., completed studies in July 1963 of certain additional aspects of the structure and operations of open-end investment companies, including selling practices, the allocation of brokerage business with respect to purchases and sales of portfolio securities of such investment companies, and insider transactions in portfolio securities. (See Report of Special Study of Securities Markets of the Securities and Exchange Commission, House Document No. 95, 88th Cong., 1st Sess., Part 4, Chapter XI.)

As a result of the experience gained by the Commission from its inspection program, the information and data developed in the other studies referred to above, and the continuing studies of investment companies being conducted by the staff of the Commission, it appears to the Commission that its program for enforcement of the Act should be improved. The Commission believes that, while its program of staff inspections has proved valuable in the enforcement of the Act, until such program is materially expanded it can provide only a limited means for protecting the public interest and the interest of investors, particularly in view of the large number of registered investment companies and affiliated and other persons whose activities are intimately related to those of investment companies. Accordingly, it appears to the Commission that the reporting requirements of Form N-30A-1 may be inadequate and that consideration should be given to a revision of the form to provide for additional information to be reported by registered management investment companies.

The Commission, therefore, hereby gives notice that it is considering whether it would be in the public interest and in the interest of investors to amend Form N-30A-1 in the manner indicated by the attached proposed form. As revised, the form would contain two parts—namely, Part I, which would be a public filing, and Part II, which, if bound by the registered investment company separately from Part I, would be classified by the Commission, pursuant to the provisions of section 45(a) of the Act and section 24 of the Securities Exchange Act of 1934, as a nonpublic filing. Such classification, however, would not preclude the

Commission, if it should deem public disclosure necessary or appropriate in the public interest or for the protection of investors, from making public all or any portion of the information contained in such Part II filed by any registered investment company or requiring that such information be included in any registration statement, application, report, or other document of a public nature filed by such registered company with the Commission under any of the statutes administered by the Commission. To provide an affected registered investment company an opportunity to state to the Commission any objections it might have to the public disclosure of any information contained in such Part II, unless such information is then a requirement of an existing rule or form requiring public disclosure or unless a proceeding has been commenced before the Commission or a court, the Commission would notify such registered investment company in writing of its intention to make or require public disclosure thereof not less than five days prior to the date of such public disclosure.

It will be observed that, with respect to a substantial number of the items in the proposed form, the answers may either be in the negative or may indicate that such items are inapplicable. With respect to certain other items, the instructions permit reference to answers furnished in a prior annual report where there has been no subsequent change. For the convenience of the registered investment company, the captions of certain of the items contain specific references to certain sections of the Act which are relevant to such items. The registered investment company, of course, should also consider any rules promulgated thereunder. Part II of the proposed form would include an opinion of the independent public accountant for the registered investment company with respect to the answers to certain of the items contained in Parts I and II.

The items in the attached form which are the same or substantially the same as, or which correspond in greater or less degree to, items appearing in the present Form N-30A-1 are listed below, with appropriate cross-references to such latter items:

Form N-1R	Form N-30A-1
Items: 1.	Items: 1.
2.	2.
3.	3.
4.	4.
5.	5(a), (b).
6 (see note below).	5(c).
7.	6.
8.	7.
9.	8.
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12.	12.
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29.	23.
Financial statements.	Financial statements.
Exhibits (except paragraphs C and D).	Exhibits.

**NOTE:** The method of computation of asset coverage of senior securities required in Item 6 of the proposed Form N-1R is based on the method specified in Section 18(h) of the Act, and differs from that required in Item 5(c) of the present Form N-30A-1.

The attached form contains certain items which assume the adoption by the Commission of certain proposed rules which are currently under consideration. This procedure has been employed solely to indicate to interested persons the nature of the information which would be required in the form if such pending rules proposals were adopted by the Commission at a time when the form was still under consideration by the Commission. Of course, any relevant rules proposals which are pending at such time as the Commission may be prepared to adopt—if it should so determine—a revised annual report form, can be appropriately dealt with for purposes of the form at that time. The specific items in the attached form and the related rules proposals are: Item 37 (see proposed Rule 2a-4 (17 CFR 270.2a-4), Investment Company Act Release No. 4006), and Item 43 (see proposed Rule 12d-1 (17 CFR 270.12d-1), Investment Company Act Release No. 3896).

The due date for the filing of the present annual report Form N-30A-1 is prescribed by § 270.30a-1 (Rule 30a-1 under the Act), and would be applicable in all respects to the revised annual report form, except that, because of the increased scope of such revised form, the due date of the first annual report filed by a registered investment company on the revised form would be extended from not more than 120 days to not more than 180 days after the close of the fiscal year covered by the report.

All interested persons are invited to submit, in triplicate, views and comments with respect to the proposed revisions of annual report Form N-30A-1, captioned in the attached draft as § 274.101 (Form N-1R). They should be submitted in writing to the Securities and Exchange Commission, Washington, D.C., 20549, on or before September 15, 1964. All such communications should refer to Investment Company Act Release No. 4026, and they will be available for public inspection.

By the Commission, August 4, 1964.

NELLYE A. THORSEN,  
Assistant Secretary.

**§ 274.101 Form N-1R, Annual Report of Registered Management Investment Company under the Investment Company Act of 1940 and the Securities Exchange Act of 1934.**

The following form shall be used for annual reports to be filed, pursuant to section 13 or 15(d) of the Securities Exchange Act of 1934 and pursuant to section 30 of the Investment Company Act of 1940, by all management investment companies registered under the latter act, except those which issue periodic payment plan certificates and small business investment companies licensed as such under the Small Business Investment Act of 1958 which file annual reports with the Commission on Form

N-5R (listed and described in 17 CFR 274.5).

**GENERAL INSTRUCTIONS**

**A. Rule as to Use of Form N-1R.**

This form shall be used for annual reports pursuant to Section 30 of the Investment Company Act of 1940 ("Act") and Section 13 or 15(d) of the Securities Exchange Act of 1934 by all management investment companies except those which issue periodic payment plan certificates and small business investment companies licensed as such under the Small Business Investment Act of 1958 which file annual reports with the Commission on Form N-5R.

**B. Application of General Rules and Regulations.**

(a) The General Rules and Regulations under the Act contain certain general requirements which are applicable to registration on any form. These general requirements should be carefully read and observed in the preparation and filing of reports on this form.

(b) Particular attention is directed to Regulation 8B under the Act (17 CFR 270.8b-1 to 270.8b-32) which contains general requirements regarding matters such as the kind and size of paper to be used, the legibility of the report, the information to be given whenever the title of securities is required to be stated, and the filing of the report. The definitions contained in Rule 8b-2 under the Act (17 CFR 270.8b-2) should be especially noted.

(c) Four complete copies of each report on this form, including exhibits and all papers and documents filed as a part thereof, shall be filed with the Commission at its headquarters office in Washington, D.C., and a fifth such complete copy shall be filed with the Regional Office of the Commission in the region where the registrant has its principal executive office. At least one complete copy of Part I of each report on this form, including all exhibits, papers, and documents filed in respect of such Part I, shall be filed with each exchange, if any, on which a security of the registrant is listed and registered. At least one of the copies filed with the Commission and one filed with each such exchange shall be manually signed. Unsigned copies shall be conformed.

**C. Material Comprising Annual Report.**

The annual report consists of the facing sheets of the form, the tables of contents, the information called for by Parts I and II of the form, the required signatures, the opinion of the independent public accountant for the registrant, and any financial statements and exhibits and any other information, undertaking, or documents which are required or which the registrant may file as a part of the annual report. See General Instruction D(1) below with respect to classification by the Commission of such Part II as a nonpublic filing.

**D. Preparation of Report.**

(a) This form is not to be used as a blank form to be filled in, but only as a guide in the preparation of the report on paper meeting the requirements of Rule 8b-12 under the Act (17 CFR 270.8b-12). The report shall contain the numbers and captions of all items required to be answered but the text of any item may be omitted if the answer thereto is prepared in the manner specified in Rule 8b-13 under the Act (17 CFR 270.8b-13). All instructions should also be omitted. Unless expressly provided otherwise, if any item is inapplicable or the answer thereto is in the negative, an appropriate statement to that effect shall be made. In preparing the answers to the items, the registrant should consider not only the sections of the Act specifically referred to in the captions of certain of the items, but also any rules promulgated thereunder.

(b) If the registrant has filed a prospectus pursuant to Rule 424 under the Securities

## PROPOSED RULE MAKING

Act of 1933 (17 CFR 230.424), meeting the requirements of Section 10 of that Act, and such prospectus contains information for the fiscal year, the registrant may incorporate in the report, at the location of the pertinent item of the report, any information, including financial statements, contained in the prospectus by reference to the specific page or caption which contains such information. In such event, an additional copy of the prospectus shall be filed with each copy of the report.

(c) If the registrant has filed a definitive proxy statement pursuant to Rule 20a-1 under the Act (17 CFR 270.20a-1), and such proxy statement contains the information required by any item of this form, such item of this form may be answered by incorporating, at the location of such item, the information contained in the proxy statement by reference to the specific page or caption which contains such information. In such event, an additional copy of the proxy statement shall be filed with each copy of the report.

(d) If the registrant has filed an annual report to stockholders for the fiscal year, pursuant to Rule 30b2-1 under the Act, meeting the requirements of Sections 30(d) and 30(e) of, and Rule 30d-1 (17 CFR 270.30d-1) under, the Act (17 CFR 270.30b2-1), and such annual report contains the information required by any item of this form, such item of this form may be answered by incorporating, at the location of such item, the information contained in such annual report, including financial statements if prepared in accordance with the instructions as to financial statements contained in this form, by reference to the specific page or caption which contains such information. In such event, an additional copy of the annual report to stockholders shall be filed with each copy of the report.

(e) If the registrant wishes to supplement its answer to any item with any relevant statement or explanation, it may do so.

(f) Where an item uses the phrase "to the knowledge of the registrant," "if known to the registrant," or other similar phrase, it shall be incumbent on the registrant to make all reasonable effort to obtain the required information.

(g) Except as otherwise stated, the information required by any item shall be given as of the end of the registrant's fiscal year, or as of the latest practicable date subsequent thereto, which date shall be stated in the answer to the item.

(h) The tables of contents applicable to Parts I and II, respectively, shall be prepared in a manner substantially identical with the forms prescribed therefor, and shall identify the page number in the report at which each item begins.

(i) If the registrant desires to have Part II of this report classified by the Commission as a nonpublic filing, it shall bind Part II separately from Part I and shall sign Part II separately in the form prescribed therefor. Such nonpublic classification by the Commission shall not preclude the Commission, if it should deem public disclosure necessary or appropriate in the public interest or for the protection of investors, from making public all or any portion of the information contained in Part II or requiring that such information be included in any registration statement, application, report, or other document of a public nature filed by the registrant with the Commission under any of the statutes administered by the Commission. To provide an affected registrant an opportunity to state to the Commission any objections it might have to the public disclosure of any information contained in Part II, unless such information is then a requirement of an existing rule or form requiring public disclosure or unless a proceeding has been commenced before the Commission or a court, the Commission shall notify such

registrant in writing of its intention to make or require public disclosure thereof not less than five days prior to the date of such public disclosure.

#### E. Definitions.

Unless the context clearly indicates the contrary, terms used in the annual report have meanings as defined in the Investment Company Act of 1940 and the rules and regulations issued thereunder. In this connection, specific attention is called to the definition of "director" contained in Section 2(a)(12) of the Act as including, among others, any natural person who is a member of a board of trustees of a management investment company created as a common-law trust.

In addition, the following definitions apply:

**Act:** The term "Act" means the Investment Company Act of 1940.

**Depositor:** The term "depositor" means the person or persons primarily responsible for the creation or the operation, or both, of an investment company not having a board of directors. It includes the person or persons, sometimes designated as the sponsor or manager of the investment company, who have continuing functions or responsibilities with respect to the administration of the affairs of the investment company, but does not include a trustee or custodian designated in accordance with the provisions of Section 26 of the Act unless the trustee or custodian is also the creator, sponsor, or manager of the investment company.

**Fiscal Year:** The term "fiscal year" means the fiscal year of the registrant covered by the report.

**Investment Adviser:** The term "investment adviser," as used herein, shall be defined as in Section 2(a)(19) of the Act and the applicable rules and regulations thereunder, except that, for the purposes of answering the items herein, the term shall also be deemed to include a corporate trustee rendering any services to the registrant of an investment advisory nature.

**Officer:** The term "officer" means a president, vice president, treasurer, secretary, controller, and any other person who performs for an organization, whether incorporated or unincorporated, functions corresponding to those of a policy-making nature performed by the foregoing officers.

**Registrant:** The term "registrant" means the management investment company filing this annual report or on whose behalf this report is filed.

**Subsidiary:** The term "subsidiary" shall be defined as in Rule 1-02 of Regulation S-X (17 CFR 210.1-02) promulgated by the Commission.

#### SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

Form N-1R

#### ANNUAL REPORT OF MANAGEMENT INVESTMENT COMPANY\*

Pursuant to section 30 of the Investment Company Act of 1940 and section 13 or 15(d) of the Securities Exchange Act of 1934.\*\*  
For fiscal year ended ----- 19--

(Name of registrant)

(Address of principal executive office of registrant)

(Name(s) and address(es) of investment adviser(s))

(Name(s) and address(es) of principal underwriter(s))

\*Check appropriate boxes:

Open-end company: Diversified [ ]  
Nondiversified [ ].

Closed-end company: Diversified [ ]  
Nondiversified [ ].

\*\*Omit reference to Securities Exchange Act of 1934, if inapplicable.

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12. Remuneration of Directors, Officers, and Members of Advisory Board.
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15. Employees of Registrant.
16. Custody of Securities and Similar Investments.
17. Fidelity Bond.
18. Investment Advisers.
19. Entry into or Renewal of Investment Advisory Contract.
20. Business and Other Connections of Management and of Investment Advisers.
21. Personnel of Investment Advisers.
22. Services Provided by Investment Adviser.
23. Administrative and Other Services.
24. Other Persons Furnishing Investment Advice.
25. Portfolio Turnover Rates.
26. Purchases of Securities on Margin; Joint Trading; Short Sales.
27. Holdings of "Restricted Securities" Other Than Straight Debt Securities.
28. Purchases of Portfolio Securities Shortly Prior to Ex-Dividend Dates.
29. Monthly Sales of Registrant's Shares; Dividends, Capital Gains, and Other Distributions.
30. Solicitation of Proxies.
31. Practice Regarding Participation by Brokers and Dealers in Commissions or Other Compensation Paid on Portfolio Transactions of Registrant.
32. Interests of Certain Persons in Investment Adviser, Principal Underwriter, and Certain Brokers and Dealers; Commissions Paid to Certain Brokers and Dealers.

##### ITEMS 33 THROUGH 38 APPLY ONLY TO OPEN-END COMPANIES

33. Business of Principal Underwriters.
34. Management of Principal Underwriters.
35. Compensation of Principal Underwriters.
36. Other Payments by Registrant to Underwriters or Dealers.
37. Periodic Calculation of Net Asset Value Per Share of Registrant's Outstanding Capital Stock.
38. Entry into or Renewal of Principal Underwriting Contract.
39. Financial Statements and Exhibits.

Signature

Financial Statements (To Be Itemized)

Exhibits (To Be Itemized)

INFORMATION REQUIRED IN REPORT

##### PART I

##### Item 1. Securities Registered on Exchanges.

As to each class of securities of the registrant which is registered on a national securities exchange, furnish the information required by the following table:

(1) Title of class	(2) Name of each exchange on which registered

**Item 2. Diversification of Assets (Sections 5(b) and 5(c) of the Act).**

Furnish the following information as of the end of each fiscal quarter of the fiscal year:

(a) With respect to the following classes of assets of the registrant—

(1) Class of assets	(2) End of fiscal quarter	
	Value of class	Percent of total
Cash and cash items, including receivables.....		
Government securities.....		
Securities of other investment companies.....		
Other securities.....		
Other assets.....		
Total assets.....		

(b) With respect to each company in which the registrant had invested in all classes of such company's securities more than 5 percent of the value of the registrant's total assets at the end of the fiscal quarter—

(1) Name and address of company	(2) Nature of its principal business	(3) Percentage of value of registrant's assets invested therein (at end of fiscal quarter)

(c) With respect to each company, 5 percent or more of whose voting securities are directly or indirectly owned, controlled, or held with power to vote, by the registrant at the end of the fiscal quarter—

(1) Name and address of company	(2) Nature of its principal business	(3) Percentage of voting securities owned by registrant (at end of fiscal quarter)

**Instruction.** The term "value" is defined in Section 2(a) (39) of the Act.

**Item 3. Underwriting Commitments (Section 12(c) of the Act).**

If the registrant is a diversified company, furnish the following information with respect to each commitment as underwriter made by the registrant during the fiscal year:

(a) The value of the registrant's total assets immediately after each such commitment as underwriter.

(b) The dollar amount of all outstanding commitments as underwriters at such time.

(c) The value at such time of registrant's investments in all securities of issuers (other than investment companies) of which the registrant owned more than 10 percent of the outstanding voting securities.

(d) The percentage which paragraph (b) plus paragraph (c) represents of paragraph (a).

**Item 4. Tax Status.**

State whether the registrant during its last taxable year met the requirements of Subchapter M of the Internal Revenue Code,

and state its present intention with respect to meeting such requirements during its current taxable year.

**Item 5. Condensed Financial Information.**

Furnish the following information for the fiscal year with respect to the registrant, or for the registrant and its subsidiaries consolidated as prescribed by caption 3 of Rule 6-02 of Regulation S-X (17 CFR 210.6-02):

**PER SHARE INCOME AND CAPITAL CHANGES**  
(For a Share Outstanding Throughout the Year)

**Income and Expense**

1. Income.
2. Operating expenses.
3. Net income.
4. Dividends from net income.

**Capital Changes**

5. Net asset value at beginning of period.
6. Net realized and unrealized profits (or losses) on securities.
7. Distributions from realized capital gains.
8. Net asset value at end of period.
9. Number of shares outstanding at end of period.

**Ratios**

10. Ratio of operating expenses to total investment income.
11. Ratio of operating expenses to average net assets.
12. Ratio of net income to average net assets.

**Instructions.** 1. The information shall be given as to the shares of all open-end companies and, where practicable, as to the common shares of closed-end companies, except that closed-end companies having senior securities outstanding during the fiscal year may modify the table in an appropriate manner. Also with respect to closed-end companies, the net income per share required at caption 3 shall be computed on the basis of net income earned on the common stock divided by the average number of common shares outstanding during the fiscal year determined no less frequently than as of the end of each month; the ratios required at captions 11 and 12 shall be computed on the basis of average net assets determined before deduction of senior securities; and the ratio required at caption 12 shall be computed on the basis of net income on common stock adjusted to add back interest on debt securities plus dividends on preferred stock.

2. Per-share figures may be given to the nearest cent.

3. Appropriate adjustments shall be made to reflect any stock split-up or stock dividend during the period.

4. "Operating expenses," as used at caption 2 above, includes the expenses described at captions 2 and 3 of Rule 6-04(b) of Regulation S-X (17 CFR 210.6-04(b)). If there were income deductions such as those described at captions 4 and 6 of that rule, compute the per-share amounts thereof in accordance with instruction 7(b) below and state them separately immediately after caption 2 above.

5. Distributions not exceeding the capital gains computed on the federal tax basis may be treated as distributions from capital gains for purposes of the above table, even though they exceed capital gains on a book basis.

6. If any distributions were made from capital sources other than capital gains, change caption 7 to "Distributions from realized capital gains and other capital sources" and in a footnote indicate the amounts and nature of distributions from such other sources.

7. For open-end companies having continuous transactions in their own shares:

(a) The amount to be shown at caption 3 is derived by adding to, or deducting from, dividends paid from net income per share for the year (caption 4) the increase or decrease

per share in undistributed net income for the year. Such increase or decrease may be derived from a comparison of the per-share figures obtained by dividing the undistributed net income at the beginning and end of the year by the number of shares outstanding on those respective dates.

(b) The amounts to be shown at captions 1 and 2 are derived by applying to the net income on a per-share basis the ratio of such items, as shown in the financial statements prepared under Rule 6-04 of Regulation S-X (17 CFR 210.6-04) to the net income as shown in such statements.

8. The amount to be shown at caption 6, while mathematically determinable by summation of amounts computed for as many periods during the year as shares were sold or repurchased (which could be as often as twice daily), is also the balancing figure derived from the figures in the statement and may be so computed. The amount shown at this caption for a share outstanding throughout the year may not accord with the change in the aggregate gains and losses in the portfolio securities for the year because of the timing of sales and repurchases of registrant's shares in relation to fluctuating market values for the portfolio.

9. "Total investment income," as used at caption 10, does not include equalization adjustments.

10. "Average net assets," as used at captions 11 and 12, shall be computed upon the basis of the value of the net assets determined no less frequently than as of the end of each month, except that the average value of securities for which market quotations are not available may be based upon the value of such securities as of the end of the preceding fiscal quarter.

11. The number of shares outstanding at the end of the period may be shown to the nearest thousand (000 omitted), provided it is indicated that such has been done, or may be shown in a footnote.

**Item 6. Asset Coverage of Senior Securities (Section 18 of the Act).**

Furnish the following information as of the end of the fiscal year with respect to each class of senior securities (including bank loans) of the registrant:

(1) Title of class	(2) Total amount outstanding, exclusive of treasury securities	(3) Asset coverage

**Instructions.** 1. The amounts set forth in column (2) shall be the total amount of each class of senior security (including bank loans) representing indebtedness, or the total involuntary liquidation preference of each class of senior security which is a stock.

2. The asset coverage called for in column (3) shall be a single ratio (expressed as a percentage) which the value of the net assets of the registrant, before deducting senior securities, bears to the aggregate amount of senior securities representing indebtedness, and also, in the case of a class of senior security which is a stock, a single ratio which the value of such net assets bears to the aggregate amount of senior securities representing indebtedness plus the aggregate of the involuntary liquidation preference of such stock, as specified in Section 18(h) of the Act.

**Item 7. Issuance and Redemption of Securities (Sections 22(g) and 23 of the Act).**

(a) State for each quarter of the fiscal year as to each class of securities of the registrant (1) the amount of such class issued by the registrant during the quarter and the aggregate net cash consideration and the aggregate amount of any other consideration re-



ceived, or to be received, in connection with such issuance; and (2) the amount of such class acquired, retired, or redeemed during the quarter and the aggregate net cash consideration and the aggregate amount of any other consideration paid, or to be paid, in connection with such acquisitions, retirements, or redemptions.

(b) State whether or not securities issued were registered under the Securities Act of 1933; if not, indicate the exemption claimed, the facts relied upon to make the exemption available, and the names of the principal underwriters, if any, indicating any such underwriters which are affiliated persons of, or affiliated persons of affiliated persons of, the registrant.

(c) If during the fiscal year the registrant issued any of its securities for either of the following purposes, state the facts:

(1) Securities were issued for services.

(2) Securities were issued for property other than cash or securities (including securities of which the registrant is the issuer), except as a dividend or distribution to its security holders or in connection with a reorganization.

(d) *(This paragraph is applicable to closed-end companies only.)* If during the fiscal year the registrant sold any shares of its common stock at a price below its current net asset value, exclusive of any distributing commission or discount, state the facts and state which of the exceptions, if any, permitted in Section 23(b) of the Act were relied upon.

(e) *(This paragraph is applicable to closed-end companies only.)* If any purchases of its outstanding capital stock were made during the fiscal year by the registrant, state the facts as to each purchase to indicate compliance with, or the basis for exemption from, Section 23(c) of the Act. If any purchases were made pursuant to an order of the Commission or pursuant to Rule 23c-1 under the Act (17 CFR 270.23c-1), it will be sufficient to cite the order number or the date of the statement filed on Form N-23C-1 (listed and described in 17 CFR 274.201) pursuant to said rule, whichever is applicable.

**Instructions.** 1. This item does not apply to short-term paper. This item does not apply to ordinary sinking fund operations, similar periodic decreases made pursuant to the terms of the governing instruments or payment of indebtedness at maturity.

2. The term "issuance" shall include the reissuance of treasury securities or securities held by or for the account of the issuer thereof. The extension of the maturity date of indebtedness shall be deemed the issuance of new indebtedness for the purpose of this item.

3. The answer to this item should, in the case of a closed-end company, indicate the basis used for determining the price at which securities were acquired, retired, or redeemed and, unless the securities were registered under the Securities Act of 1933, for determining the price at which securities were issued.

#### Item 8. Persons in Control Relationship with Registrant (Section 2(a) (9) of the Act).

Furnish a list or diagram of all persons directly or indirectly controlling, controlled by or under common control with the registrant, and as to each such person indicate (1) if a company, the State or other sovereign power under the laws of which it was organized, and (2) the percentage of voting securities owned or other basis of control by the person, if any, immediately controlling it.

**Instructions.** 1. For the purposes of this item, "control" shall mean (a) the beneficial ownership, either directly or through one or more controlled companies, of more than 25

percent of the voting securities of a company; (b) the acknowledgment or assertion by the registrant of the existence of control; or (c) an adjudication under Section 2(a) (9) of the Act, which has become final, that control exists.

2. The list or diagram shall include the registrant and shall be so prepared as to show clearly the relationship of each company named to the registrant and to the other companies named. If any company is controlled by means of the direct ownership of its securities by two or more persons, so indicate by appropriate cross reference.

3. Designate by appropriate symbols (a) subsidiaries for which separate financial statements are filed; (b) subsidiaries included in the respective consolidated financial statements; (c) subsidiaries included in the respective group financial statements filed for unconsolidated subsidiaries; (d) other subsidiaries, indicating briefly why statements of such subsidiaries are not filed.

4. The names of particular subsidiaries may be omitted if the unnamed subsidiaries considered in the aggregate as a single subsidiary would not constitute a significant subsidiary.

5. This item may be answered by specific reference to the last annual report on this form, and to the relevant item number therein, containing the required information, provided there has been no change in the information therein furnished.

#### Item 9. Persons Owning Equity Securities of Registrant.

Furnish the information required by the table below as to all equity securities of the registrant owned by the following persons:

(a) Each person who owns of record or is known by the registrant directly or indirectly to own, control, or hold with power to vote, 5 percent or more of the outstanding voting securities of the registrant.

(b) Each person who owns of record or is known by the registrant to own beneficially more than 10 percent of any other class of equity securities of the registrant.

(c) All officers, directors, and members of any advisory board of the registrant as a group, without naming them.

(1) Name and address	(2) Positions and offices with registrant	(3) Dates of service with registrant in each capacity during fiscal year	(4) Principal occupations during past five years	(5) (6) (7) (8) Was, or was affiliated person of:			
				(Name of Any other registered investment company)	(Name of Investment adviser of registrant)	(Name of Principal underwriter for registrant)	(Name of Regular broker for registrant)
Directors and officers							
Members of advisory board							
Employees							

**Instructions.** 1. List under column (5), (6), (7), or (8), as appropriate, all positions and offices, including acting as regular legal counsel, whether or not on retainer, held with the persons named in the captions of such columns, by any individual listed under column (1), as well as any other basis on which any such individual was an affiliated person of such persons. If more than one person is named in any one of the captions of columns (5), (6), (7), and (8), indicate by appropriate symbols to which of such persons the affiliated-person relationship of a particular individual is intended to apply. Also, if one person serves in two or more of the capacities referred to in the captions of columns (6), (7), and (8), that fact shall be indicated, but the registrant need furnish the required information as to the individuals in only one of the relevant columns.

(1) Name and address	(2) Title of class	(3) Type of ownership	(4) Amount owned	(5) Percent of class

**Instructions.** 1. Indicate in column (3) whether the securities are owned both of record and beneficially, of record only, or beneficially only, and show separately in columns (4) and (5) the respective amounts and percentages owned in each such manner.

2. The percentages are to be calculated on the basis of the amount of outstanding securities of the class. In any case where the amount owned by all officers, directors and members of the advisory board as a group is less than 1 percent of the class, a statement to that effect will suffice as an answer to paragraph (c).

#### Item 10. Number of Holders of Equity Securities.

State, in substantially the tabular form indicated, the approximate number of holders of record of each class of equity securities of the registrant.

(1) Title of class	(2) Number of holders

#### Item 11. Directors and Officers; Members of Advisory Board of Registrant (Sections 10 and 2(a) (1) of the Act).

(a) Furnish the information required by the following table as to (i) all directors, officers, and members of any advisory board of the registrant who served in such capacities at any time during the fiscal year, and (ii) all employees of the registrant who at any time during the fiscal year were, or were affiliated persons of, any of the persons named in the captions of columns (5), (6), (7), and (8) of the table.

(1) Name and address	(2) Positions and offices with registrant	(3) Dates of service with registrant in each capacity during fiscal year	(4) Principal occupations during past five years	(5) (6) (7) (8) Was, or was affiliated person of:			
				(Name of Any other registered investment company)	(Name of Investment adviser of registrant)	(Name of Principal underwriter for registrant)	(Name of Regular broker for registrant)
Directors and officers							
Members of advisory board							
Employees							

2. For the purposes of this item, the registrant shall include in its answer as to employees in column (1) of the table any individual or partnership acting as regular legal counsel for the registrant, whether or not on retainer, and shall indicate whether such individual or partnership also acts as regular legal counsel, whether or not on retainer, for any of the persons named in the captions of columns (5), (6), (7), and (8). If a partnership is named in column (1), also include the name of each partner or associate, if any, who, instead of the law firm itself, is regular legal counsel, whether or not on retainer, for any of the persons named in the captions of columns (5), (6), (7), and (8).

3. There should not be listed under the heading "Employees" in column (1) any individual who is listed under any of the other



headings in column (1). However, if any individual listed under any of such other headings is also an employee of the registrant, including, for the purposes of this item, a partner or an associate of a law firm acting as regular legal counsel for the registrant, whether or not on retainer, that fact shall be stated in column (2).

4. If the registrant is an unincorporated company not having a board of directors, the information required in paragraph (a) with respect to the directors of the registrant shall be applicable to the board of directors of the depositor and of every investment adviser of the registrant.

5. If the registrant relied upon any of the provisions of Section 10(d) or 10(e) of the Act for an exception from the applicable requirements of Section 10(a), 10(b), or 10(c), it shall state the facts with respect to any such claimed exception. If an order of the Commission granting an exemption from such requirements was relied upon, the registrant shall cite the specific order.

(b) Indicate in a note to the table in paragraph (a) above, or otherwise, which individuals, if any, listed under column (1) were at any time during the fiscal year investment bankers or affiliated persons of any investment bankers. If there were any, state also the name and address of each such investment banker and the basis on which each such individual was an affiliated person of each such investment banker.

**Instructions.** 1. For the purposes of this item, a person shall not be deemed an affiliated person of an investment banker solely by reason of the fact that he is an affiliated person of a company of the character described in Section 12(d)(3) (A) and (B) of the Act.

2. See instruction 4 to paragraph (a) of this item for comparable requirement of this paragraph (b).

(c) Indicate in a note to the table in paragraph (a) above, or otherwise, which members (if two or more) of the board of directors of the registrant, and of any advisory board of the registrant, were at any time during the fiscal year officers or directors of any one bank. If there were any, state also the name and address of each such bank and the positions of each such director or advisory board member with each such bank.

**Instruction.** See instruction 4 to paragraph (a) of this item for comparable requirement of this paragraph (c).

(d) Furnish the information required by the following table as to (1) the number of formal meetings held during the fiscal year by the board of directors of the registrant, by any executive or equivalent committee of the registrant, and by any advisory board of the registrant, and (2) the number of such meetings attended by each named member of such boards or committee.

(1)	(2)	(3)
Names of members of board of directors	Total number of formal meetings held while a member	Total number of formal meetings attended by each member
Names of members of executive or equivalent committee of board of directors		
Names of members of advisory board		

#### Item 12. Remuneration of Directors, Officers, and Members of Advisory Board.

(a) Furnish the information required by the following table as to all remuneration paid during the fiscal year to the following individuals, and to the following groups as a whole, for services in all capacities, to whomsoever rendered, by (1) the registrant and its subsidiaries, (2) the investment adviser of, or the principal underwriter for,

the registrant, (3) any other registered investment company which retains as its investment adviser or principal underwriter the same person, or an affiliated person thereof, as retained by the registrant, (4) any other registered investment company which owns an interest in a company in which the registrant also owns an interest and which company furnishes investment advice or investment research or administrative or statistical services to such other registered investment company and the registrant, and (v) any regular broker for the registrant:

(1) Each director, each of the three highest-paid officers, and each member of the advisory board, of the registrant whose aggregate remuneration from all of the foregoing sources exceeded \$30,000. Name each such individual and each person (whether the registrant or any other person) who paid any part of the remuneration, and state the amount paid to any such individual by each such person.

(2) All directors and officers of the registrant as a group, without naming them, but naming each person (whether the registrant or any other person) who paid any part of the remuneration, and state the aggregate amount so paid to such group by each such person.

(3) All members of the advisory board of the registrant as a group, without naming them, but naming each person (whether the registrant or any other person) who paid any part of the remuneration, and state the aggregate amount so paid to such group by each such person.

(A)	(B)	(C)	(D)
Name of individual or identify of group	Capacities in which remuneration was received	Name of each person who paid remuneration to individual or group	Amount of remuneration paid by each person to individual or group

**Instructions.** 1. This item applies to any individual who was a director, officer, or member of the advisory board of the registrant at any time during the fiscal year. However, information need not be given for any portion of the year during which any such individual did not occupy one of the positions indicated.

2. The information is to be given on an accrual basis if practicable. The tables required by this paragraph and paragraph (b) may be combined if desired.

3. For the purposes of this item, include as remuneration salaries or other compensation paid to the specified individuals or groups by the persons specified in clauses (1) through (v) of paragraph (a) of this item, plus, separately, any share of the net income of the investment adviser, principal underwriter, or regular broker applicable to any stock interest, partnership interest, or other interest therein owned by the specified individuals or groups; *provided that*, solely with respect to the remuneration paid by an investment adviser, principal underwriter, or regular broker whose gross revenues during the fiscal year from services performed for the registrant and its subsidiaries and other registered investment companies specified in clauses (iii) and (iv) of paragraph (a) of this item did not exceed 15 percent of its gross revenues from all sources, the registrant may instead include only that portion of such remuneration paid by the investment adviser, principal underwriter, or regular broker, as the case may be, as the registrant deems reasonably applicable to the services performed by such specified individuals or groups for (1) the registrant and its subsidiaries and (2) other registered investment companies combined, specified in clauses

(iii) and (iv) of paragraph (a) of this item. If such alternative reporting is employed by the registrant, it shall so state.

4. If the gross revenues of the investment adviser, the principal underwriter, or the regular broker, as the case may be, from services performed by it for the registrant and its subsidiaries and other registered investment companies specified in clauses (iii) and (iv) of paragraph (a) of this item exceeded 15 percent of its gross revenues from all sources, then in addition to reporting the total remuneration paid by each such person to the specified individuals or groups, the registrant may if it wishes also state the respective proportions or amounts of such remuneration which it deems reasonably applicable to the services performed by such specified individuals or groups for (1) the registrant and its subsidiaries; (2) other registered investment companies combined, specified in clauses (iii) and (iv) of paragraph (a) of this item; and (3) all other persons combined.

5. If the fiscal year of the investment adviser, the principal underwriter, or the regular broker, as the case may be, is different from that of the registrant, the information as to remuneration may be given for such person's most recent fiscal year for which such information is available as of the date when this report is filed, in which event the particular fiscal year shall be identified.

(b) Furnish the following information, in substantially the tabular form indicated below, as to all pension or retirement benefits proposed to be paid under any existing plan in the event of retirement at normal retirement date, directly or indirectly, to each individual named in the answer to subparagraph (1) of paragraph (a) above, by the persons specified in clauses (1) through (v) of paragraph (a):

(1)	(2)	(3)	(4)
Name of individual	Name of each person providing pension or retirement benefits to individual	Amount set aside or accrued during registrant's fiscal year	Estimated annual benefits to individual upon retirement, under each plan

**Instructions.** 1. Column (3) need not be answered with respect to payments computed on an actuarial basis pursuant to any plan which provides for fixed benefits in the event of retirement at a specified age or after a specified number of years of service.

2. The information called for by column (4) may be given in a table showing the annual benefits payable upon retirement to persons in specified salary classifications.

3. In the case of any plan (other than those specified in instruction 1) where the amount set aside each year depends upon the amount of earnings of the registrant or its subsidiaries for such year or a prior year, or where it is otherwise impracticable to state the estimated annual benefits upon retirement, there shall be set forth, in lieu of the information called for by column (4), the aggregate amount set aside or accrued to date, unless it is impracticable to do so, in which case there shall be stated the method of computing such benefits.

#### Item 13. Remuneration of Certain Other Affiliated Persons.

Furnish the information required by the following table as to each of the persons specified below who received from the registrant and its subsidiaries during the fiscal year aggregate remuneration in excess of \$30,000 for services in all capacities. Indicate the nature of the relationship by reason of which the remuneration of each such person named is required to be given.

(a) Each affiliated person of the registrant other than its directors, officers, employees, and members of its advisory board.

(b) Each affiliated person of any of the following: any director, officer, or member of the advisory board of the registrant; any company named in the answer to Item 2(c); any security holder named in the answer to Item 9 (a) or (b); any investment adviser of the registrant; any principal underwriter currently distributing securities of the registrant.

(1)	(2)	(3)
Name of person	Capacities in which services were rendered	Aggregate remuneration

**Instruction.** Information furnished in the answers to Items 12(a), 18(d), 32(c), and 35 need not be furnished in the answer to this item, provided an appropriate statement and cross references are made here.

**Item 14. Indemnification of Directors and Officers (Section 17(h) of the Act).**

State the general effect of any new or amended contract, arrangement, or statute under which any director or officer of the registrant is insured or indemnified in any manner against any liability which he may incur in his capacity as such.

**Instruction.** This item may be answered with the word "None" if there is no such new or amended contract, arrangement, or statute. No information need be given as to insurance provided by any director or officer for his own protection. The information required by this item may be omitted if there has been no change from that previously reported, provided specific reference is made to the last filed document of the registrant containing the required information.

**Item 15. Employees of Registrant.**

(a) Furnish the information required by the following table with respect to the employees of (1) the registrant and (2) any company (stating the name thereof) of the character specified in Section 2(a) (19) (iii) of the Act.

(A)	(B)	(C)
Class of employees	Number of full-time employees	Number of part-time employees
(1) Of the registrant: Executive and research All other employees.....		
(2) Of a Section 2(a)(19)(iii)- type company (State name): Executive and re- search..... All other employees.....		

(b) State in a note to the table in paragraph (a) above, or otherwise, the names of any registered investment companies other than the registrant which used the services of any company named at caption (2) above.

**Item 16. Custody of Securities and Similar Investments (Section 17(f) of the Act).**

(a) If the securities and similar investments of the registrant are maintained in the custody of a bank, state the name of such bank and whether or not it has the qualifications prescribed in paragraph (1) of Section 28(a) of the Act for the trustees of unit investment trusts, as required by Section 17(f) of the Act.

(b) If such securities and similar investments are maintained in the custody of a member of a national securities exchange, state the full name of such member and whether or not such custody is maintained in

accordance with Rule 17f-1 under the Act (17 CFR 270.17f-1).

(c) If such securities and similar investments are maintained in the custody of the registrant, so state and indicate whether or not such custody is maintained in accordance with Rule 17f-2 under the Act (17 CFR 270.17f-2), naming the bank or other depository.

(d) State the basis upon which the remuneration for custodial services was determined for the fiscal year.

**Instructions.** 1. Note that any new or amended contract or arrangements pertaining to the custody of securities or similar investments must be filed as an exhibit to the report unless it has previously been filed, in which case specific reference should be made to such previous filing.

2. Instruction 5 to Item 8 above shall also apply to this item.

**Item 17. Fidelity Bond (Section 17(g) of the Act).**

(a) In respect of the fidelity bond required by Section 17(g) of the Act and Rule 17g-1 thereunder (17 CFR 270.17g-1), set forth the name of the fidelity insurance company, the bond number, the amount of coverage and type of bond (i.e., blanket or individual), and the portion of the fiscal year during which the bond was in effect.

(b) State whether each fidelity bond in effect during the fiscal year contained the substantive provision(s) required by Rule 17g-1(a) under the Act (17 CFR 270.17g-1(a)).

(c) State whether the board of directors of the registrant made any determination(s) during the fiscal year with respect to the adequacy of each fidelity bond, as required by Rule 17g-1(a) under the Act (17 CFR 270.17g-1(a)).

(d) With respect to each fidelity bond and each amendment thereto executed during the fiscal year, state whether the registrant filed with the Commission within 10 days after each such execution, as required by Rule 17g-1(b) (1) under the Act (17 CFR 270.17g-1(b) (1)), (1) a copy of each resolution of the board of directors of the registrant determining the amount, type, form, and coverage of each fidelity bond; (2) a statement as to the period for which the premiums for each such bond have been paid; and (3) a copy of each such bond and of each amendment thereto.

(e) State whether the registrant filed with the Commission, in writing, within 5 days after the making of a claim under the fidelity bond during the fiscal year, a statement of the nature and amount thereof, as required by Rule 17g-1(b) (2) under the Act (17 CFR 270.17g-1(b) (2)).

(f) State whether the registrant filed with the Commission, within 5 days of the receipt thereof during the fiscal year, a copy of the terms of the settlement of any claim made under the fidelity bond by the registrant, as required by Rule 17g-1(b) (3) under the Act (17 CFR 270.17g-1(b) (3)).

(g) State whether the registrant notified by registered mail, as required by Rule 17g-1(b) (4) under the Act (17 CFR 270.17g-1(b) (4)), each member of the board of directors of the registrant, at his last known residence address, of (1) any cancellation, termination, or modification of the fidelity bond occurring during the fiscal year, not less than 20 days prior to the effective date of such cancellation, termination, or modification, and (2) the filing and settlement of any claim under the fidelity bond by the registrant at the time the filings required by subparagraphs (2) and (3) of Rule 17g-1(b) under the Act (17 CFR 270.17g-1(b)), were made with the Commission.

**Item 18. Investment Advisers (Section 15(a) of the Act).**

Furnish the following information as to each investment adviser of the registrant:

(a) Name and principal business address.

(b) Name and address of any affiliated person of the registrant who is also an affiliated person of the investment adviser and the nature of the affiliation.

(c) A brief description of the investment advisory contract with the registrant, including but not limited to the basis for determination paid by the registrant to the investment adviser and any contract provisions placing limits on the total expenses of the registrant.

(d) The dollar amount of the remuneration paid by the registrant to the investment adviser for the fiscal year pursuant to the terms of the investment advisory contract, and the dollar amount of the reduction, if any, taken into account in determining such payment by reason of the contract provisions referred to in paragraph (c) above.

**Instructions.** 1. Information furnished in the answer to Item 11(a) need not be furnished in the answer to paragraph (b) of this item, provided an appropriate statement and cross reference are made here.

2. The information required by paragraph (c) of this item may be omitted if there has been no change from that previously reported, provided specific reference is made to the last filed document of the registrant containing the required information.

**Item 19. Entry into or Renewal of Investment Advisory Contract (Sections 15(a) and 15(c) of the Act).**

If during the fiscal year the registrant entered into or renewed an investment advisory contract, state:

(a) Whether the action involved the execution of a new contract or the renewal of an existing contract.

(b) Whether the action was by the vote of shareholders or by the board of directors; if by the vote of the board of directors, state also (1) the number of directors, if any, who voted against the action, and (2) whether a majority of the directors who were not parties to the contract or affiliated persons of the investment adviser of the registrant, or of the registrant itself (except solely in their positions as directors of the registrant), voted in favor of the action.

(c) The date of such action.

(d) The beginning and ending dates of the period for which the contract was executed or renewed.

**Instructions.** 1. For the purpose of this item, the amendment of an existing investment advisory contract shall be deemed to constitute an entry into an investment advisory contract.

2. For the purpose of numbered clause 2 of paragraph (b) of this item, a director of the registrant who acts as regular legal counsel for the investment adviser or for the registrant, or who is a partner or an associate of any firm which acts as regular legal counsel for the investment adviser or for the registrant, whether or not on retainer, shall be considered an affiliated person of the investment adviser or of the registrant, as the case may be, wholly apart from his being an affiliated person of the registrant by virtue of being a director thereof.

**Item 20. Business and Other Connections of Management and of Investment Advisers.**

Describe briefly any other business, profession, vocation, or employment of a substantial nature in which each director, officer, member of the advisory board, or investment adviser of the registrant, and each director, officer, or partner of any such investment adviser, is engaged for his own account or in the capacity of director, officer, employee, partner, or trustee.

**Instructions.** 1. Do not include in the answer to this item any information furnished in the answer to Item 11 above.

2. Minor and inconsequential connections which do not contribute significantly to the income of any individual specified and which have no relation to the registrant or its subsidiaries, its investment adviser, its principal

underwriter, or a regular broker for the registrant may be excluded.

3. When a connection with a company is given, state the name and principal business of the company and the nature of such connection.

4. The names of investment advisory clients need not be given in answering this item.

5. Instruction 5 to Item 8 above shall also apply to this item.

**Item 21. Personnel of Investment Advisers.**

Furnish the information required by the following table, in substantially the tabular form indicated, with respect to all personnel (other than directors, officers, partners, or proprietors) of each investment adviser of the registrant:

(1) Class of personnel	(2) Number of full-time employees	(3) Number of part-time employees
Executives.....		
Economists, statisticians, and research personnel.....		
Account supervisors and counsellors.....		
All other personnel.....		

**Instruction.** Indicate by footnote or otherwise the number of employees, if any, who are also employed by one or more other investment advisers and the names of such other investment advisers. State whether any such other investment adviser, to the knowledge of the registrant, is an affiliated person of the investment adviser of the registrant.

**Item 22. Services Provided by Investment Adviser.**

Check the services listed below which were supplied or paid for during the fiscal year by each investment adviser in connection with the investment advisory or management contract with the registrant.

- (a) Occupancy and office rental.
- (b) Clerical and bookkeeping.
- (c) Accounting services.
- (d) Auditing services.
- (e) Legal fees.
- (f) Registration and filing fees.
- (g) Stationery, supplies, and printing.
- (h) Salaries and compensation of directors of the registrant.
- (i) Salaries and compensation of officers of the registrant.
- (j) Reports to stockholders.
- (k) Determination of offering and redemption prices.
- Other (specify):
- (l) .....
- (m) .....

**Instruction.** If any of the above services were supplied or paid for by any person, other than the registrant or the investment adviser, so note and name such person, state the direct or indirect relationship, if any, of such person with the registrant, its investment adviser, or its principal underwriter, and state, to the knowledge of the registrant, the actual amount paid or other consideration given, if any, for such services.

**Item 23. Administrative and Other Services.**

If any person, other than in connection with an investment advisory contract with the registrant, furnished administrative, bookkeeping, or similar services to the registrant during the fiscal year, furnish the following information:

- (a) The name of the person.
- (b) The direct or indirect relationship, if any, of such person with the registrant, its investment adviser, or its principal underwriter.
- (c) The nature of the services performed.
- (d) The amount and basis of the compensation paid therefor.

**Instruction.** The term "similar services" is not intended to include services performed by any person in the capacity of custodian or transfer agent for the registrant. Do not include services performed by any personnel of the registrant or by a company of the character described in clause (iii) of the instruction to Item 24 below.

**Item 24. Other Persons Furnishing Investment Advice.**

If during the fiscal year any person (other than a bona fide director, officer, member of an advisory board, or employee of the registrant, as such, or a person named as an investment adviser in response to Item 18 above), pursuant to any understanding, whether formal or informal, regularly furnished advice to the registrant or to the investment adviser of the registrant with respect to the desirability of the registrant's investing in, purchasing, or selling securities or other property, or was empowered to determine what securities or other property should be purchased or sold by the registrant, furnish the following information:

- (a) The name of such person.
- (b) A description of the circumstances involved and the nature of the advice or information furnished.

(c) The remuneration (including participation, directly or indirectly, in commissions or other compensation paid in connection with transactions in portfolio securities of the registrant) paid for such advice or information, and a statement as to how such remuneration was paid and by whom it was paid.

**Instruction.** Information need not be included in response to this item with respect to any of the following: (i) persons whose advice was furnished to the investment adviser or the registrant solely through uniform publications distributed to subscribers thereto; (ii) persons who furnished the investment adviser or the registrant only with statistical and other factual information, advice regarding economic factors and trends, or advice as to occasional transactions in specific securities, but without generally furnishing advice to them or making recommendations to them regarding the purchase or sale of securities by the registrant; or (iii) a company which furnished the services described in the text of this item at cost to one or more registered investment companies (including the registrant), insurance companies, or other financial institutions.

**Item 25. Portfolio Turnover Rates.**

(a) State the rate of total portfolio turnover for the fiscal year and for each of the immediately two preceding fiscal years.

**Instructions.** 1. The rate shall be calculated by dividing (A) the lesser of purchases or sales of portfolio securities for the particular fiscal year by (B) the monthly average of the value of the portfolio securities owned by the registrant during the particular fiscal year. Such monthly average shall be calculated by totaling the values of the portfolio securities as of the beginning and end of the first month of the particular fiscal year and as of the end of each of the succeeding eleven months, and dividing the sum by 13, except that the average value of securities for which market quotations are not available may be based upon the value of such securities as of the end of the preceding fiscal quarter.

2. For the purposes of this item, there shall be excluded from both the numerator and the denominator all U.S. Government securities (short-term and long-term) and all other securities whose maturities at the time of acquisition were one year or less. Purchases shall include any cash paid upon the conversion of one portfolio security into another. Purchases shall also include the cost of rights or warrants purchased. Sales shall include the net proceeds of the sale of rights or warrants. Sales shall also in-

clude the net proceeds of redemptions of portfolio securities by call or maturity.

3. If during the particular fiscal year the registrant acquired the assets of another investment company or of a personal holding company in exchange for its own shares, it shall exclude from purchases the value of securities so acquired, and from sales all sales of such securities made following a purchase-of-assets transaction to realign the registrant's portfolio. In such event, the registrant shall also make appropriate adjustment in the denominator of the portfolio turnover computation. The registrant shall make appropriate disclosure of such exclusions and adjustments in its answer to this item.

4. The registrant may if it wishes make any statement or explanation with respect to any significant variations in the portfolio turnover rates during the three fiscal years.

(b) State the rate of common equity portfolio turnover for the fiscal year and for each of the immediately two preceding fiscal years.

**Instructions.** 1. The rate shall be calculated by dividing (A) the lesser of purchases or sales of common equity portfolio securities for the particular fiscal year by (B) the monthly average of the value of the common equity portfolio securities owned by the registrant during the particular fiscal year. Such monthly average shall be calculated by totaling the values of the common equity portfolio securities as of the beginning and end of the first month of the particular fiscal year and as of the end of each of the succeeding eleven months, and dividing the sum by 13, except that the average value of securities for which market quotations are not available may be based upon the value of such securities as of the end of the preceding fiscal quarter.

2. For the purposes of this item, common equity portfolio securities shall include all classes of common capital stock, and rights and warrants to purchase the same, owned by the registrant during the particular fiscal year. If a common equity security was acquired by the exercise of a conversion option attaching to a non-common equity security, there shall be included in purchases the market value, as of the date of the exercise, of the security surrendered, plus any cash paid therewith. If one common equity security was exchanged for another by the exercise of a conversion option, there shall be included in purchases any cash paid upon the conversion. Purchases shall also include the cost of rights or warrants purchased. Sales shall include the net proceeds of the sale of rights or warrants.

3. Instructions 3 and 4 to paragraph (a) of this item shall also apply to paragraph (b) above.

**Item 26. Purchases of Securities on Margin; Joint Trading; Short Sales.**

(a) If during the fiscal year the registrant (1) purchased any securities on margin, (2) participated on a joint or a joint and several basis in any trading account in securities, or (3) effected short sales of any securities, describe the nature and extent of such transactions.

(b) State whether the transactions, if any, reported in the answer to paragraph (a) of this item, were permitted by the registrant's policies as recited in its registration statement and reports filed under the Act. If they were, identify the specific policies relied on as permitting the transactions. If there was no policy relevant to the transactions, so state.

**Item 27. Holdings of "Restricted Securities" Other Than Straight Debt Securities.**

(a) As to each security, other than a straight debt security, which at any time during the fiscal year was carried on the

books of the registrant, as required by Rule 31a-1(b)(2)(B) under the Act, as a security the salability of which was conditioned by reason of its being a "restricted security," furnish the following information, which may be presented in tabular form:

(1) The name of the issuer and the title of the security.

(2) The date of purchase, the number of shares or principal amount purchased, and the aggregate purchase price.

(3) The name of the person from whom the purchase was made and the relationship, if any, of such person to the issuer of the security purchased or to any person controlling, controlled by, or under common control with, such issuer.

(4) The basis of any exemption claimed by the seller from registration of the securities under the Securities Act of 1933.

(5) If the registrant or its counsel has determined that such security is no longer a restricted security, a statement as to when such opinion was reached.

(b) If any security listed in paragraph (a) above was sold or otherwise disposed of by the registrant during the fiscal year, furnish the following information as to each such security, which information may also be presented in tabular form:

(1) The name of the issuer and the title of the security.

(2) The date of sale and the nature of the transaction or market in which sold.

(3) The number of shares or principal amount sold and the aggregate sale price.

(4) The name of the person, if known to the registrant, to whom such security was sold.

(5) The basis of any exemption from registration under the Securities Act of 1933 claimed for the sale by the registrant.

*Instruction.* For the purposes of this item, the term "restricted security" means

(1) any security with respect to which the registrant has made an agreement restricting resale or a representation as to its investment intentions in acquiring the security (designed to protect the seller from violations of the Securities Act of 1933) and (2) any security which, as of the time of acquisition or the dates reported, and whether or not such agreement or representation was made, would have required registration under the Securities Act of 1933 before it could lawfully be distributed to the public. Such security might include, for example, depending upon the circumstances under which it was acquired, a security purchased directly or indirectly from an issuer or a person controlling, controlled by, or under common control with, the issuer, and a security owned by the registrant which controls, is controlled by, or is under common control with, the issuer of such security. Straight debt securities should not be reported in the answer to this item.

**Item 28. Purchases of Portfolio Securities Shortly Prior to Ex-Dividend Dates.**

State whether the registrant followed a practice during the fiscal year of purchasing any portfolio securities shortly prior to the ex-dividend dates. If it did, explain the purpose of such practice and state whether realization of the ensuing dividend was a consideration.

**Item 29. Monthly Sales of Registrant's Shares; Dividends, Capital Gains, and Other Distributions (Section 19) of the Act.**

(a) Furnish the information required by the following table with respect to (1) the total number of shares of the registrant sold during each month of the fiscal year and (2) the amount per share of each distribution during the fiscal year on the registrant's outstanding common stock.

(1) Month	(2) Total number of shares sold	(3) (4) (5) (6) (7) (8) Distributions per share					
		(3) Dividends from net income		(5) Capital gains		(7) Other	
		Amount	Record date	Amount	Record date	Amount	Record date

*Instructions.* 1. If the registrant is an open-end company, it shall furnish the information required by columns (1) through (8); if it is a closed-end company, only columns (3) through (8) shall be applicable.

2. As to each distribution listed under column (5), indicate by footnote or otherwise what portion represented realized long-term capital gains and what portion represented realized short-term capital gains, as those terms are defined in the Internal Revenue Code.

3. Explain by footnote or otherwise the nature of each distribution listed under column (7), and state also the aggregate amount of each such distribution.

(b) If realized capital gains were distributed on other than an annual basis, state the reasons therefor.

(c) If during the fiscal year the registrant paid any dividend or made any distribution in the nature of a dividend payment (including securities, whether or not of its own issue, or property), on any outstanding class of its capital stock, wholly or partly from any source other than (i) accumulated undistributed net income (not including profits or losses realized on the sale of securities or other properties), or (ii) net income for the current or preceding fiscal year, state whether such payment or distribution was accompanied by a written statement to the stockholders disclosing the

source or sources thereof and otherwise complying with the provisions of Rule 19-1 under the Act (17 CFR 270.19-1).

*Instruction.* See "Instructions as to Exhibits," paragraph D, appearing at the end of Part I of this report, with respect to filing, as an exhibit to said Part I, copies of the written statement referred to in paragraph (c) of this item.

**Item 30. Solicitation of Proxies (Section 20(a) of the Act).**

Furnish the following information with respect to each meeting of shareholders of the registrant held during the fiscal year:

(a) The date of the meeting.

(b) State whether proxies for such meeting were solicited by or in behalf of the management of the registrant, its investment adviser, or its principal underwriter.

(c) The date on which definitive proxy material was filed with the Commission with respect to any such solicitation.

**Item 31. Practice Regarding Participation by Brokers and Dealers in Commissions or Other Compensation Paid on Portfolio Transactions of Registrant.**

If during the fiscal year dealers who sold shares of the registrant, or broker-dealers who furnished services or benefits in the form of payment of expenses or otherwise to the registrant or to its investment adviser or to dealers who sold shares of the registrant,

participated in commissions or other compensation paid in connection with purchases and sales of portfolio securities for the registrant, either directly in payment for executing purchase and sale orders, or indirectly by participating in the commissions paid to the brokers who executed purchase and sale orders, furnish the following information:

(a) Describe specifically and fully the practice followed with respect to the degree of participation of such brokers or dealers in commissions or other compensation and the basis or bases upon which such participation was allocated, including the nature of the services or benefits made available to the registrant, its investment adviser, or dealers who sold shares of the registrant. Include also a clear statement of the practice followed with respect to the allocation of commissions or other compensation paid on portfolio transactions effected in the over-the-counter market.

(b) State the names of and positions held, in the registrant, investment adviser, underwriter, or otherwise, by the person or persons who made the determination as to the participations in commissions or other compensation as referred to in paragraph (a) above.

*Instructions.* 1. Where participations in commissions or other compensation involved, in whole or in part, the application of a general or a specific formula or other determinant, as, for example, the relative sales of the registrant's shares, the answer should describe in detail such formula or other determinant. Also, where executing brokers gave up part of their commissions to non-executing brokers or dealers, the specific basis for such "give-ups" should be described, together with a statement as to how the percentages of "give-ups" were determined.

2. Describe any practice of according participations in commissions or other compensation to brokers or dealers on a combined basis in respect of portfolio transactions of the registrant and other investment companies which have the same investment adviser or principal underwriter.

**Item 32. Interests of Certain Persons in Investment Adviser, Principal Underwriter, and Certain Brokers and Dealers; Commissions Paid to Certain Brokers and Dealers.**

(a) State the nature of any direct or indirect interest which each director, officer, member of any advisory board or advisory committee, and any beneficial owner of 5 percent or more of the outstanding voting securities, of the registrant had during the fiscal year in (1) the investment adviser, (2) the principal underwriter, (3) any broker among the 10 brokers who received the greatest amount of brokerage commissions by virtue of direct or indirect participation in the purchase or sale of portfolio securities by the registrant, or (4) any broker or dealer among the 10 brokers or dealers who engaged as principals in the largest amount of purchases or sales of portfolio securities by the registrant.

(b) State the nature of any direct or indirect interest which each director, officer, member of any advisory board or advisory committee, and any beneficial owner of 5 percent or more of the outstanding voting securities, of the investment adviser and of the principal underwriter had during the fiscal year in the persons specified in clauses (1), (2), (3), and (4) of paragraph (a) above.

(c) State the amount of brokerage commissions received by each broker or dealer specified in clauses (3) and (4) of paragraph (a) above by virtue of direct or indirect participation in the purchase or sale of portfolio securities by the registrant during the fiscal year, where any individual specified in paragraphs (a) and (b) was an affiliated person of any such broker or dealer.

**Instructions.** 1. For the purposes of this item, include as brokerage commissions the amount of the compensation on those principal transactions (i.e., new issues and secondary distributions) where the compensation was fixed by agreement under the rules of a national securities exchange, or where the discount or concession was specified in the prospectus or fixed by the terms of the offering.

2. For the purposes of paragraphs (a) and (b) of this item, only the nature of the individual's interest in the persons specified in clauses (1), (2), (3), and (4) of paragraph (a) need be shown and not the amount of stock ownership or percent of partnership interest. Information furnished in the answer to Item 11 need not be included in the answer to this item, provided an appropriate statement and cross reference are made here.

Items 33 Through 38 Apply Only to Open-End Companies

**Item 33. Business of Principal Underwriters.**

State the name of each investment company (other than the registrant and closed-end companies) for which each principal underwriter currently distributing securities of the registrant also acts as a principal underwriter, depositor, or investment adviser.

(1)	(2)	(3)	(4)	(5)
Name of principal underwriter	Net underwriting discounts and commissions deducted from offering price at time of sale	Compensation or profit on redemptions and repurchases	Brokerage commissions	Other compensation

**Instructions.** 1. Indicate in a note, or otherwise, the nature of the services rendered in consideration of the compensation set forth under column (5). Include under this column any compensation received by a principal underwriter in connection with the sale of shares of the registrant which was not deducted from the offering price at the time of sale, and compensation for keeping the registrant's securities outstanding in the hands of the public.

2. Information furnished in the answer to Item 18(d) need not be included under column (5) of this item, provided an appropriate statement and cross reference are made here.

**Item 36. Other Payments by Registrant to Underwriters or Dealers.**

If during the fiscal year any payments were made by the registrant to an underwriter or dealer in the registrant's shares other than (a) payments made through deduction from the offering price at the time of sale of securities issued by the registrant, (b) payments representing the purchase price of portfolio securities acquired by the registrant, (c) commissions on any purchase or sale of portfolio securities by the registrant, or (d) payments for investment advisory services pursuant to an investment advisory contract, furnish the following information:

- (1) The name and address of the underwriter or dealer.
- (2) A description of the circumstances surrounding the payments.
- (3) The amount paid.
- (4) The basis on which the amount of the payment was determined and the consideration received for it.

**Instructions.** 1. Do not include in the answer to this item any information furnished in the answer to Item 35 above or in the answers to Items 52 and 63 of Part II of this report.

**Instruction.** Instruction 5 to Item 8 above shall also apply to this item.

**Item 34. Management of Principal Underwriters.**

Furnish the information required by the following table with respect to each director, officer, or partner of each principal underwriter currently distributing securities of the registrant:

(1)	(2)	(3)
Name and principal business address	Positions and offices with principal underwriter	Positions and offices with registrant

**Instruction.** Instruction 5 to Item 8 above shall also apply to this item.

**Item 35. Compensation of Principal Underwriters.**

Furnish the information required by the following table with respect to all commissions and other compensation and profits received by each principal underwriter directly or indirectly from the registrant during the fiscal year:

(1)	(2)	(3)	(4)	(5)
Name of principal underwriter	Net underwriting discounts and commissions deducted from offering price at time of sale	Compensation or profit on redemptions and repurchases	Brokerage commissions	Other compensation

2. If the payments were made pursuant to an arrangement or policy applicable to dealers generally, it will be sufficient to describe such arrangement or policy.

**Item 37. Periodic Calculation of Net Asset Value Per Share of Registrant's Outstanding Capital Stock.**

State whether the registrant during the fiscal year followed the procedures specified in Rule 2a-4 under the Act (17 CFR 270.2a-4) in the making of periodic calculations of the net asset value per share of its outstanding capital stock for purposes of the distribution, redemption, and repurchase of such stock. If the registrant's procedures differed from those specified in Rule 2a-4 of the Act (17 CFR 270.2a-4), describe the differences and state the reasons therefor.

**Item 38. Entry into or Renewal of Principal Underwriting Contract (Sections 15(b) and 15(c) of the Act).**

If during the fiscal year the registrant entered into or renewed a principal underwriting contract, state:

- (a) Whether the action involved the execution of a new contract or the renewal of an existing contract.
- (b) Whether the action was by the vote of shareholders or by the board of directors; if by the vote of the board of directors, state also (1) the number of directors, if any, who voted against the action, and (2) whether a majority of the directors who were not parties to the contract or affiliated persons of the principal underwriter for the registrant, or of the registrant itself (except solely in their positions as directors of the registrant), voted in favor of the action.
- (c) The date of such action.
- (d) The beginning and ending dates of the period for which the contract was executed or renewed.

**Instructions.** 1. For the purposes of this item, the amendment of an existing principal

underwriting contract shall be deemed to constitute an entry into a principal underwriting contract.

2. For the purposes of numbered clause (2) of paragraph (b) of this item, a director of the registrant who acts as regular legal counsel for the principal underwriter or for the registrant, or who is a partner or an associate of any firm which acts as regular legal counsel for the principal underwriter or for the registrant, whether or not on retainer, shall be considered an affiliated person of the principal underwriter or of the registrant, as the case may be, wholly apart from his being an affiliated person of the registrant by virtue of being a director thereof.

**Item 39. Financial Statements and Exhibits.** List all financial statements and exhibits filed as a part of this report.

- (a) Financial statements.
- (b) Exhibits.

**SIGNATURE**

This Part I of the registrant's report on Form N-1R having been submitted to each member of the board of directors of the registrant (or to each member of the board of directors of the depositor or to each member of the board of directors of the trustee) prior to a meeting of said board held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and said board having adopted a resolution of said meeting authorizing the execution and filing of this Part I, now, therefore, pursuant to said resolution and pursuant to the requirements of the Investment Company Act of 1940 and the Securities Exchange Act of 1934\*, the undersigned registrant (or depositor or trustee) has caused this Part I to be signed on its behalf in the City of \_\_\_\_\_ and State of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(Name of registrant, depositor, or trustee)

By \_\_\_\_\_  
(Name and title of person signing on behalf of registrant, depositor, or trustee)\*\*

Witness:

(Name and title)\*\*

\*Omit reference to Securities Exchange Act of 1934, if inapplicable.

\*\*Print name and title of signing officer and of witness under their respective signatures.

**INSTRUCTIONS AS TO FINANCIAL STATEMENTS**

These instructions specify the financial statements required to be filed as a part of a report on this form. Regulation S-X (17 CFR, Part 210) governs the certification, form, and content of the statements required, including the basis of consolidation, and prescribes the statements of surplus and schedules to be filed in support thereof.

**A. STATEMENTS OF THE REGISTRANT**

**1. Balance Sheets and Statements of Assets and Liabilities.**

The registrant shall file a certified balance sheet or statement of assets and liabilities as of the close of the fiscal year.

**2. Statements of Income and Expense, Realized and Unrealized Gain or Loss on Investments.**

The statements specified in Rules 6-04, 6-05, and 6-06 of Regulation S-X shall be filed for the registrant for the fiscal year. Such statements shall be certified.

**B. CONSOLIDATED STATEMENTS**

**3. Consolidated Balance Sheets and Statements of Assets and Liabilities.**

There shall be filed a certified consolidated balance sheet or statement of assets and lia-



bilities of the registrant and its subsidiaries as of the close of the fiscal year of the registrant.

**4. Consolidated Statements of Income and Expense, Realized and Unrealized Gain or Loss on Investments.**

The statements specified in Rules 6-04, 6-05, and 6-06 of Regulation S-X (17 CFR 210.6-04, 210.6-05, and 210.6-06) shall be filed for the registrant and its subsidiaries consolidated for the fiscal year. Such statements shall be certified.

**C. UNCONSOLIDATED SUBSIDIARIES**

**5. Unconsolidated Subsidiaries.**

(a) Subject to Rules 4-03 and 6-02-3 of Regulation S-X (17 CFR 210.4-03 and 210.6-02-3) regarding group statements of unconsolidated subsidiaries, there shall be filed for each subsidiary of the registrant not consolidated, the financial statements which would be required if the subsidiary were itself a registrant.

(b) If the fiscal year of any unconsolidated subsidiary ends within 90 days before the date of filing the report, or ends after the date of filing, the financial statements of the subsidiary may be filed as an amendment to the report within 120 days after the end of the subsidiary's fiscal year.

**6. Omission of Statements Required by Instruction 5.**

Notwithstanding Instruction 5, there may be omitted from the report all financial statements of any one or more unconsolidated subsidiaries if all such subsidiaries for which statements are so omitted, considered in the aggregate as a single subsidiary, would not constitute a significant subsidiary.

**D. SPECIAL PROVISIONS**

**7. Filing of Other Statements in Certain Cases.**

The Commission may, upon the informal written request of the registrant and where consistent with the protection of investors, permit the omission of one or more of the statements herein required or the filing in substitution thereof of appropriate statements of comparable character. The Commission may also by informal written notice require the filing of other statements in addition to, or in substitution for, the statements herein required in any case where such statements are necessary for an adequate presentation of the financial condition of any person whose financial statements are required, or whose statements are otherwise necessary for the protection of investors.

**INSTRUCTIONS AS TO EXHIBITS**

Subject to the rules regarding incorporation by reference, the following exhibits shall be filed as a part of the report:

A. Copies of all amendments or modifications, not previously filed, to all documents required to be filed as exhibits to an original registration statement (or copies of such exhibits as amended or modified).

B. Copies of all documents which would be required to be filed as an exhibit to an original registration statement if such a registration statement were currently being filed and which have been executed or otherwise put into effect during the fiscal year and not previously filed.

C. Copies of any written code of ethics or other written statement of policy of the registrant with respect to trading in securities (other than securities issued by the registrant) by directors, officers, employees, or members of any advisory board or committee, of the registrant, except that if there has been no material change in any such code or other statement of policy since copies were last filed as an exhibit to this report, it will be sufficient to so state, provided specific reference is made to the last annual re-

port of the registrant containing such copies as an exhibit.

D. Copies of any written statement required to be filed pursuant to Section 19 of the Act and Rule 19-1 thereunder (17 CFR 270.19-1) with respect to certain dividend payments and other distributions to shareholders of the registrant.

**Form N-1R**

**Part II**

**Registrant Requests Nonpublic Classification For This Part II of Form N-1R**

For Fiscal Year Ended \_\_\_\_\_, 19\_\_

(Name of Registrant)

(Address of Principal Executive Office of Registrant)

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**Signature.**

Opinion of Independent Public Accountant.

**SUPPLEMENTAL INFORMATION REQUIRED IN REPORT**

**PART II**

**Item 40. Purchase and Sale Transactions Within Six-Month Period.**

If during the fiscal year the registrant purchased any portfolio securities of the same class of the same issuer which it had sold within a period of six months immediately preceding the date of purchase, or if it sold any portfolio securities of the same class of the same issuer which it had purchased within a period of six months immediately preceding the date of sale, furnish the following information as to each such transaction:

- (a) The name of the issuer and the title of the security.
- (b) The number of shares or the principal amount of the purchase or sale.
- (c) The date of the transaction.
- (d) The dollar amount of consideration paid or received.

(e) The name of the person, acting as broker, through whom the transaction was effected and the commission paid by the registrant to such person, or, in the case of a principal transaction, the name of the person with whom such transaction was effected.

**Instructions.** 1. For the purposes of this item, omit purchases and sales of U.S. Government, state, and municipal obligations (short-term and long-term) and short-term corporate obligations maturing within one year from the date of purchase or sale.

2. Do not report any transactions relating to convertible securities if the period of time between the original purchase of a convertible security and the ultimate sale of the security into which it was converted exceeded six months, regardless of when the conversion option was exercised. If, however, such period of time did not exceed six months, the transaction should be reported. Also, if a convertible security was purchased and sold within a six-month period without an intervening conversion, or if a convertible security was sold and a security of the same class of the same issuer was purchased within a six-month period, the transaction should be reported.

3. Do not report any transactions if the aggregate of the dollar amounts otherwise reportable under paragraph (d) of this item is less than (i) 50,000 or (ii) one-half of one percent of the net asset value of the registrant at the end of the fiscal year.

**Item 41. Deviations From Stated Policies (Sections 8(b) and 13 of the Act).**

Describe the procedures followed by the registrant during the fiscal year for ensuring that its holdings of portfolio securities or other assets, its liabilities, and the terms and nature of its outstanding securities were consistent in all material respects with its policies as recited in its registration statement and reports filed under the Act.

**Instruction.** Instruction 5 to Item 8 of Part I of this report shall also apply to this item.



**Item 42. Purchase of Securities During Underwriting by Affiliated Principal Underwriter (Section 10(f) of the Act).**

If during the fiscal year the registrant purchased or otherwise acquired from any source, during the existence of any underwriting or selling syndicate, any security (except a security of which the registrant was the issuer) a principal underwriter of which security was an officer, director, member of an advisory board, investment adviser, or employee of the registrant, or was a person (other than a company of the character described in Section 12(d)(3)(A) and (B) of the Act) of which any such officer, director, member of an advisory board, investment adviser, or employee was an affiliated person, unless in acquiring such security the registrant was itself acting as a principal underwriter for the issuer, explain the basis for any claimed exemption from Section 10(f) of the Act and cite the specific rule or order of the Commission relied upon.

**Instruction.** If the registrant claimed exemption from Section 10(f) of the Act by virtue of Rule 10f-3 thereunder (17 CFR 270.10f-3) and filed with the Commission the statement required by Rule 10f-3(h) under the Act (17 CFR 270.10f-3(h)), it will be sufficient to state the date when such statement was filed.

**Item 43. Purchase of Securities of or Other Interest in Investment Company, Investment Adviser, Broker, Dealer, Underwriter, or Insurance Company (Section 12(d) of the Act).**

If during the fiscal year the registrant or any company controlled by it purchased or otherwise acquired, to the knowledge of the registrant, any security issued by, or any other interest in the business of, any other investment company, investment adviser, broker, dealer, underwriter, or, in the case of an insurance company, a security resulting in the holding of more than 10 percent of the total outstanding voting stock of such insurance company, furnish the following information:

(a) List each such acquisition.

(b) Show the resultant percentage of outstanding voting stock of, or other proprietary interest in, the issuer held by the registrant and any company controlled by the registrant.

**Instructions.** 1. Instruction 1 to Item 8 of Part I of this report shall also apply to this item.

2. Do not report any transaction in which the registrant or any company controlled by it acquired the assets of another investment company or of a personal holding company in exchange for its own shares.

3. If the registrant or any company controlled by it relied upon any of the provisions of Section 12(d) of the Act for an exception from the prohibitions of such section, or if it relied upon Rule 12d-1 thereunder (17 CFR 270.12d-1), for exemption from any of the prohibitions of Section 12(d)(3), it shall furnish the information required by this item and shall state the specific basis for the claimed exception or exemption. If the registrant or any company controlled by it, however, relied upon an order of the Commission granting an exemption from any of the prohibitions of Section 12(d), it need only cite the specific order.

**Item 44. Vacancies in Board of Directors of Registrant; Percent of Board Elected by Security Holders (Sections 16(a) and 16(b) of the Act).**

(a) If during the fiscal year any vacancy in the board of directors of the registrant was filled by action of the board, state whether, immediately after the filling of any such vacancy, at least two-thirds of the directors then holding office had been elected by the holders of the outstanding voting securities of the registrant at an annual or a special meeting of the shareholders.

(b) If at any time during the fiscal year less than a majority of the directors of the registrant then holding office had been elected by the holders of the outstanding voting securities of the registrant, state whether a meeting of such holders was held within sixty days for the purpose of electing directors to fill any existing vacancies in the board of directors.

**Instruction.** The reporting requirements of this item shall not apply to the registrant if it is a common-law trust existing on the date of enactment of the Act under an indenture of trust which does not provide for the election of trustees by the shareholders. If the registrant is of the character herein described, it shall so state.

**Item 45. Transactions and Joint Enterprises Between Registrant or Controlled Company and Affiliated or Certain Other Persons (Sections 17(a), 17(b), 17(c), 17(d), and 21 of the Act).**

(a) Describe the method, if any, which the registrant employs to determine annually, so far as practicable, the identities of all persons who are affiliated persons of the registrant, or affiliated persons of such persons or of any promoter of or principal underwriter for the registrant.

(b) If during the fiscal year any of the persons specified below, acting as principal, sold to the registrant, or to any company controlled by the registrant, any security or other property, other than pursuant to any of the exceptions specified in Section 17(a)(1) or 17(c) of the Act, cite the specific order, if any, of the Commission pursuant to Section 17(b) of the Act relied upon for exemption, or, in the absence of such an order, describe the transaction, identify the persons and the nature of the affiliation with the registrant, and cite the rule, if any, under the Act relied upon for exemption.

(1) Any affiliated person of the registrant.

(2) Any promoter of the registrant.

(3) Any principal underwriter for the registrant (other than a company of the character described in Section 12(d)(3)(A) and (B) of the Act).

(4) Any affiliated person of any of the foregoing specified persons known to be such by the registrant.

(c) If during the fiscal year any of the persons specified in paragraph (b) above, acting as principal, purchased from the registrant, or from any company controlled by the registrant, any security or other property (except securities of which the seller was the issuer), furnish the information required in paragraph (b) above.

(d) If during the fiscal year any of the persons specified in paragraph (b) above, acting as principal, borrowed money or other property from the registrant or from any company controlled by the registrant (unless the borrower was controlled by the lender), furnish the information required in paragraph (b) above, but do not report any transactions in the answer to this paragraph (d) if required to be reported in the answer to paragraph (f) below.

(e) If at any time during the fiscal year any person specified in numbered clauses (1), (3), and (4) of paragraph (b) above, acting as principal, participated in, or effected any transaction in connection with, any joint enterprise or other joint arrangement or profit-sharing plan, as defined in Rule 17d-1(c) under the Act (17 CFR 270.17d-1(c)), in which the registrant or any company controlled by the registrant was a participant, cite the specific order, if any, of the Commission pursuant to Section 17(d) of the Act and Rule 17d-1 thereunder (17 CFR 270.17d-1), granting an application with respect to such transaction, or, in the absence of such an order, furnish the following information:

(1) Describe each such transaction, identify the persons involved, and state the basis

on which such persons come within the category of any of the numbered clauses (1), (3), and (4) of paragraph (b) above.

(2) Cite the rule, if any, under the Act relied upon for exemption.

(f) If during the fiscal year the registrant lent money or property to any person, directly or indirectly, which person controlled or was under common control with the registrant, state the facts.

**Instructions.** 1. Instruction 1 to Item 8 of Part I of this report shall also apply to this item.

2. If during the fiscal year the registrant relied upon Rule 17a-6 under the Act (17 CFR 270.17a-6), for exemption of any transaction, it shall furnish all information pertinent to the availability of such exemption.

3. Do not include in the answer to paragraph (d) above advances to personnel to cover reimbursable expenses which were duly accounted for.

4. Do not include in the answer to paragraph (f) above any loan by the registrant to a company which owned all of the outstanding securities of the registrant, except directors' qualifying shares.

**Item 46. Transactions Between Registrant and Affiliated Persons of Directors or Officers of Investment Adviser or Principal Underwriter.**

Describe each transaction during the fiscal year between the registrant and any corporation or organization which was an affiliated person, known to be such by the registrant, of any director or officer of the investment adviser or, or the principal underwriter for, the registrant.

**Instructions.** 1. If the corporation or organization referred to in this item directly or indirectly controlled, was controlled by, or was under common control with, any affiliated person of the registrant or the principal underwriter for the registrant, the information required in this item should have been reported in the answer to Item 45 above, in which case it should not be furnished here.

2. Instruction 1 to Item 8 of Part I of this report shall also apply to this item.

3. Include the name of each person whose interest in any transaction is described and the nature of the relationship by reason of which such interest is described.

4. As to any transaction involving the purchase or sale of assets, state the cost of the assets to the purchaser and the cost thereof to the seller if the seller was such director, officer, or other corporation or organization, and such assets were acquired by the seller within two years prior to the transaction. If the interest of any person arises from the position of such person as a partner in a partnership, only the amount involved in the transaction with the partnership need be stated.

5. No information need be given with respect to (i) normal brokerage, commercial or investment banking, legal, accounting, public utility and telephone services, (ii) services solely as a director, officer, or employee, or (iii) sales and purchases of merchandise, leases, and services incident thereto, made or entered into in the ordinary course of business.

6. No information need be given with respect to transactions not involving remuneration for services where the aggregate amount did not exceed \$5,000, nor with respect to any individual transaction involving remuneration for services where the remuneration did not exceed \$1,000.

**Item 47. Remuneration of Certain Affiliated Persons Acting as Agent in Property Transactions or as Broker in Securities Transactions (Section 17(e) of the Act).**

(a) If during the fiscal year the registrant compensated (other than through a regular salary or wages or underwriting or brokerage

fees) any affiliated person, or, to the knowledge of the registrant, any affiliated person of such person, acting as agent, for the purchase or sale of any property to or for the registrant or any controlled company thereof, furnish the following information:

(1) The name of the affiliated person and the basis of the affiliation.

(2) A description of the transaction.

(3) The amount and basis of the compensation.

(b) If the compensation referred to in paragraph (a) above was paid by any person other than the registrant, furnish the information required in such paragraph insofar as it may be known to the registrant.

(c) If during the fiscal year the registrant compensated any affiliated person, or any affiliated person of such person, acting as broker, in connection with the sale of securities to or by the registrant or any controlled company thereof, for effecting such transaction where the compensation exceeded

(1) the usual and customary broker's commission if the sale was effected on a securities exchange, or (2) 2 percent of the sales price if the sale was effected in connection with a secondary distribution of such securities, or (3) such other percent as permitted by Rule 17e-1 under the Act (17 CFR 270.17e-1), furnish the information required in paragraph (a) above.

(d) If the compensation referred to in paragraph (c) above was paid by any person other than the registrant, furnish the information required in paragraph (a) above insofar as it may be known to the registrant.

**Instruction.** Instruction 1 to Item 8 of Part I of this report shall also apply to this item.

**Item 48. Deposit of Funds in Banks Other Than Custodian Bank (Section 17(f) of the Act).**

Describe any practice or arrangements, formal or otherwise, with respect to the deposit by the registrant or custodian for the registrant or part or all of the registrant's funds or equivalent funds of the custodian in banks other than the custodian bank or banks named in the answer to Item 16(a) of Part I of this report.

**Instruction.** Instruction 5 to Item 8 of Part I of this report shall also apply to this item.

**Item 49. Cross-Ownership and Circular Ownership (Sections 20(c) and 20(d) of the Act).**

If during the fiscal year the registrant purchased any voting securities of a company where, to the knowledge of the registrant, cross-ownership or circular ownership then existed or after such acquisition existed, or if, to the knowledge of the registrant, any such cross-ownership or circular ownership otherwise came into existence, describe the circumstances leading to such cross-ownership or circular ownership and state what steps, if any, were taken by the registrant, when any such relationship became known to it, to terminate such ownership.

**Item 50. Selection and Ratification of Accountants and Auditors; Preparation of Financial Statements Filed with Commission (Section 32 of the Act).**

(a) If any financial statement filed by the registrant with the Commission during the fiscal year was certified by an independent public accountant other than one selected and ratified in accordance with Section 32(a) of the Act, identify such statement and the certifying accountant.

**Instructions.** If the registrant claims exemption from the selection requirements of Section 32(a)(1) of the Act by virtue of Rule 32a-1 thereunder (17 CFR 270.32a-1), or if it deems the ratification requirements of Section 32(a)(2) to be not required because of the specific exception contained in

such section of the Act, it shall so state in the answer to paragraph (a) above.

(b) If during the fiscal year the registrant filed with the Commission any financial statement in the preparation of which the controller or other principal accounting officer of the registrant participated, and if such individual had not been selected, either by vote of the holders of the registrant's voting securities at the last annual meeting of such security holders, or by the board of directors of the registrant, identify such statement and the participating individual.

**Item 51. Trading in Securities by Certain Affiliated Persons of Registrant.**

(a) If the registrant has a written code of ethics or other written statement of policy with respect to trading in securities (other than securities issued by the registrant) by its directors, officers, or employees, or by members of any advisory board or advisory committee of the registrant, furnish the following information:

(1) State what steps, if any, the registrant takes to enforce such written code or other written statement of policy.

(2) With respect to each known violation thereof during the fiscal year, and using a different code symbol in referring to each individual involved—

(A) State whether the individual was a director, officer, employee, or member of any advisory board or advisory committee of the registrant.

(B) Indicate the relationships of such individual to the investment adviser of, and the principal underwriter for, the registrant.

(C) State (i) the name of the issuer, (ii) the title of the security, and (iii) the amount (in quantity; unit cost or unit sales price, whichever is applicable; and total dollar amount) of each acquisition or disposition of securities by such individual during the fiscal year constituting a violation of such written code or other written statement of policy.

(D) State the dates of acquisition or disposition during the fiscal year by such individual.

(E) State the names of the brokers or dealers or other persons through or with whom such acquisitions or dispositions by such individual were effected.

(F) Furnish the information required in subparagraphs (C), (D), and (E) of this item with respect to the acquisitions and dispositions during the fiscal year by the registrant of each security identified pursuant to paragraph (C), except that numerous transactions by the registrant in any of such securities may be summarized in an appropriate manner.

(G) Specify the provision(s) of such written code or other written statement of policy violated and the respects in which such provision(s) were deemed to have been violated.

(3) State what action was taken by the registrant with respect to each known violation.

(b) If the registrant has an informal policy with respect to trading in securities by the individuals specified in paragraph (a) above, describe such policy, state what procedures, if any, it employs to enforce it, and with respect to any known violations thereof during the fiscal year, furnish the information required in paragraph (a) above, except that, for the purposes of this paragraph (b), the requirements of subparagraph (G) above shall be deemed to include provisions of an unwritten code or other unwritten policy.

(c) If the registrant has neither a written code of ethics or other written statement of policy nor an informal policy with respect to trading in securities by the individuals specified in paragraph (a) above, state what consideration, if any, has been given by the registrant to the adoption of any such written or unwritten code or policy.

**Instructions.** 1. See numbered paragraph 1 ("Private Dealings") of the Investment Company Institute's "Guide to Business Standards" adopted in January 1962.

2. See "Instructions as to Exhibits," paragraph C, appearing at the end of Part I of this report, with respect to filing, as an exhibit to said Part I, copies of the written code of ethics or other written statement of policy referred to in paragraph (a) of this item.

3. In the answer to this item for the fiscal year and all subsequent fiscal years, the same code symbol shall be used for the same individual.

**Item 52. Total Brokerage Commissions Paid on Portfolio Transactions of Registrant; Ten Largest Participating Brokers in Commissions Paid.**

(a) State the total amount of brokerage commissions paid by the registrant during the fiscal year on portfolio transactions.

(b) Set forth in order of size, for the fiscal year, the 10 brokers, by name, who received the greatest amount of brokerage commissions by virtue of direct or indirect participation in the purchase or sale of portfolio securities of the registrant. For each, show separately:

(1) Gross commissions received for executing portfolio transactions.

(2) Amounts received from other brokers or dealers at the direction or request of the registrant, its principal underwriter, or its investment adviser.

(3) Amounts paid to other brokers or dealers or other persons at the direction or request of the registrant, its principal underwriter, or its investment adviser.

**Instruction.** Instruction 1 to Item 32 of Part I of this report shall also apply to this item.

**Item 53. Portfolio Transactions by Registrant with Brokers and Dealers Acting as Principal.**

Set forth for the fiscal year the total cost of portfolio securities (including Government securities) purchased by the registrant from, and the total proceeds of portfolio securities sold by the registrant to, each broker or dealer named in the answers to Item 52 above and Item 63 below acting as principal, and each other broker or dealer among the 10 brokers or dealers who engaged as principals in the largest amount of such purchase and sale transactions.

**Instruction.** For the purposes of this item, the registrant may but need not consider principal transactions in which the compensation to the dealer was fixed by agreement under the rules of a national securities exchange, or in which the discount or concession was specified in the prospectus or fixed by the terms of the offering.

**Item 54. Portfolio Transactions by Registrant with Brokers or Dealers in Return for Benefits Provided to Any Other Person.**

If, pursuant to any arrangement, understanding, or practice, whether occasional or regular, orders for the purchase or sale of securities on behalf of the registrant were placed with a broker or dealer during the fiscal year in return for advice, information, or other services provided, directly or indirectly, to any other person (other than the investment adviser of, or principal underwriter for, the registrant), furnish the following information:

(a) Name such other person.

(b) Explain the nature of any such arrangement or practice.

(c) Indicate the number and amount of such transactions within the fiscal year.

(d) Identify the broker or dealer in each such case.

**Item 55. Family Relationships of Certain Affiliated Persons of Registrant.**

As to each director, officer, member of any advisory board or advisory committee of the

registrant, or any beneficial owner of 5 percent or more of the outstanding voting securities of the registrant, indicate each immediate family relationship, known to the registrant, with any other affiliated person of the registrant, its investment adviser, or its principal underwriter.

**Instruction.** For the purposes of this item, "immediate family" of a specified person shall include parents, father-in-law, mother-in-law, spouse, children, son-in-law, daughter-in-law, and any relative to whose support the specified person contributes directly or indirectly.

**Item 56. Transactions Between Investment Advisor, Principal Underwriter, or Certain Brokers and Unaffiliated Directors or Officers of Registrant.**

Describe each transaction during the fiscal year between the investment adviser of, or the principal underwriter for, the registrant, or any broker named in the answers to Items 52 and 53 above and Item 63 below, and (a) any director or officer of the registrant who was not an affiliated person of such investment adviser, principal underwriter, or broker, as the case may be, or (b) any corporation or organization controlled by such director or officer.

**Instructions.** 1. Instructions 3 through 6 of Item 46 above shall also apply to this item. Also, do not report any information on transactions involving private advisory accounts. 2. Instruction 1 to Item 8 of Part I of this report shall also apply to this item.

**Item 57. Indebtedness of Unaffiliated Directors or Officers of Registrant to Investment Advisor or Principal Underwriter.**

If at any time during the fiscal year any director or officer of the registrant who was not then an affiliated person of the investment adviser of, or principal underwriter for, the registrant, as the case may be, was indebted (other than by virtue of margin accounts) in an amount exceeding \$1,000 to the investment adviser or the principal underwriter, or to any director, officer, or other affiliated person of such investment adviser or principal underwriter, furnish the following information:

(a) Name each such person to whom he was so indebted.

(b) State the largest aggregate amount of indebtedness to each such person at any time during the fiscal year and the amount outstanding at the end of the fiscal year.

(c) State the rate of interest paid or charged thereon.

**Items 58 Through 64 Apply Only to Open-End Companies**

**Item 58. Procedures Followed Upon Receipt of Orders for Purchase, Repurchase, or Redemption of Registrant's Shares.**

(a) State what procedures the registrant followed during the fiscal year upon the receipt of orders, whether by mail, telephone, teletype, or otherwise, for the purchase by investors, or the repurchase or redemption by the registrant, of its outstanding shares, with respect to details as to the practice in stamping or otherwise noting the date and time of receipt of such orders. Indicate also whether the timing of the receipt of such orders was governed by their receipt by the registrant or its principal underwriter or otherwise.

(b) State what procedures the registrant followed during the fiscal year to effectuate the policy recited in its current prospectus and in its registration statement under the Act with respect to the time as of which the registrant priced the shares which it sold, repurchased, or redeemed in relation to the time of the receipt of orders therefor.

**Instructions.** 1. Include in the answer to paragraph (b) of this item a statement as to whether the registrant made interim computations of, or adjustments to, net asset value

to reflect changes in the market value of its portfolio securities between regular pricings; if it did, describe the nature of such computations or adjustments and the circumstances under which they were made.

2. Instruction 5 to Item 8 of Part I of this report shall also apply to this item.

**Item 59. Time Lapse Between Sale of Shares of, and Receipt of Proceeds by, Registrant.**

(a) State the practice of the registrant, in terms of maximum number of business days elapsed from the date of sale of its shares, as to what constitutes prompt payment to it of the proceeds from such sale, and describe the internal procedures followed by the registrant during the fiscal year to ensure compliance with such policy.

(b) State the practice of the registrant during the fiscal year as to who sustains the loss on the sale of its shares occurring by reason of any decline in the net asset value of such shares between the date of sale and the date of any cancellation of the sale.

**Instruction.** Instruction 5 to Item 8 of Part I of this report shall also apply to this item.

**Item 60. Suspension or Postponement of Right of Redemption (Section 22(e) of the Act).**

If during the fiscal year the registrant suspended the right of redemption or postponed the date of payment or satisfaction upon redemption of any of its outstanding shares for more than seven days after the tender thereof to the registrant or its designated agent, furnish (a) the dates, (b) the periods of time, (c) the number of shares involved, and (d) the reasons therefor.

**Item 61. Exchange Offers Made to Shareholders of Registrant or of Any Other Open-End Company (Section 11 of the Act).**

If during the fiscal year the registrant made or caused to be made (a) an offer to the holder of a security of the registrant or of any other open-end investment company to exchange his security for a security in the same or another open-end investment company on any basis other than the relative net asset values of the respective securities to be exchanged, or (b) an offer of exchange of any security of a registered open-end company, including a security of the registrant, for a security of a registered unit investment trust or registered face-amount certificate company, irrespective of the basis of exchange, cite the specific order, if any, of the Commission approving the terms of the offer or exempting it from the provisions of Section 11(a) or 11(c) of the Act, or, if the offer was not so approved or exempted, describe the offer, including the basis for any claimed exception from the provisions of Section 11(a) or 11(c) pursuant to the provisions of Section 11(b).

**Item 62. Variations in Sales Load Except as Permitted by Rule (Section 22(d) of the Act).**

If during the fiscal year the public offering prices of the registrant's shares were determined on a basis which resulted in any variations in sales load other than as permitted by Rule 22d-1 under the Act (17 CFR 270.22d-1) or other rules under Section 22(d) of the Act, cite the specific order, if any, of the Commission exempting such variations therefrom, or, in the absence of any such order, state the facts with respect to such variations.

**Item 63. Ten Largest Dealers in Registrant's Shares.**

Set forth in order of size, for the fiscal year, the 10 dealers, by name, who sold the largest dollar amount of shares of the registrant. For each, show separately:

(a) The total dollar amount of shares sold.

(b) The brokerage commissions received by virtue of direct or indirect participation in the purchase and sale of portfolio securities of the registrant, such commissions to be broken down as follows:

(1) Gross commissions received for executing portfolio transactions.

(2) Amounts received from other brokers or dealers at the request of the registrant, its principal underwriter, or its investment adviser.

(3) Amounts paid to other brokers or dealers or other persons at the direction or request of the registrant, its principal underwriter, or its investment adviser.

**Instruction.** Instruction 1 to Item 32 of Part I of this report shall also apply to this item.

**Item 64. Shares of Registrant Sold Pursuant to Periodic Payment Plans of the Installment Type.**

Furnish the name and address of each sponsor or depositor of a separately registered unit investment trust through which shares of the registrant were sold during the registrant's fiscal year, and as to each such sponsor or depositor state (a) the dollar sales of shares of the registrant during the registrant's fiscal year pursuant to periodic payment plans of the installment type issued by the unit investment trust, and (b) the percent of such sales to the total dollar sales of shares of the registrant under all methods of sale during the registrant's fiscal year.

**SIGNATURE**

This Part II of the registrant's report on Form N-1R having been submitted to each member of the board of directors of the registrant (or to each member of the board of directors of the depositor or to each member of the board of directors of the trustee) prior to a meeting of said board held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and said board having adopted a resolution at said meeting authorizing the execution and filing of this Part II, now, therefore, pursuant to said resolution and pursuant to the requirements of the Investment Company Act of 1940 and the Securities Exchange Act of 1934\*, the undersigned registrant (or depositor or trustee) has caused this Part II to be signed on its behalf in the city of \_\_\_\_\_ and State of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
(Name of registrant, depositor, or trustee)

By \_\_\_\_\_  
(Name and title of person signing on behalf of registrant, depositor, or trustee)\*\*

Witness:

\_\_\_\_\_  
(Name and title)\*\*

\* Omit reference to Securities Exchange Act of 1934, if inapplicable.

\*\*Print name and title of signing officer and of witness under their respective signatures.

**OPINION OF INDEPENDENT PUBLIC ACCOUNTANT**

The registrant shall include in its report an opinion of its independent public accountant, which shall be addressed to the registrant, shall be on the stationery of the accountant, shall be signed manually, and shall be dated. The opinion shall cover the following subject matter and be in substantially the following form:

We have examined the (description of financial statements) as of (date) and for the year then ended and have rendered our opinion thereon dated \_\_\_\_\_. We have also examined the answers to the items enumerated below which are included in the report of (state the exact name of the registrant) filed with the Securities and

## PROPOSED RULE MAKING

Exchange Commission on Form N-1R for the fiscal year ended \_\_\_\_\_ (state the same fiscal year as appears on the facing sheet of the report); in connection therewith, we have applied such supplemental tests and other auditing procedures as we consider necessary in the circumstances.

In our opinion, the answers set forth in the following items present fairly the information they purport to show:

Items 3; 5; 6; 7 (a), (c); 16; 17(a); 18 (a), (c), (d); 22; 25; 26(a); 27(b) (numbered clauses 1 through 4); 29 (a), (c); 35; 36 (numbered clauses 1, 3, 4); 37; 40; 52 (a), (b) (clause (1)); 53; 58; 59; 63 (clauses (a), (b) (1)).

The answers set forth in the following items are in accordance with the minutes of (name of registrant) examined by us:

Items 11(d); 17 (c), (d), (e), (f), (g); 19; 30; 38; 44.

The procedures which we applied were not of sufficient scope to enable us to express an opinion, and we do not express an opinion as to the answers to the following items:

Items 13; 43; 60 (lettered clauses (a), (b), (c)).

However, in connection with our examination, nothing came to our attention which causes us to believe that the accompanying answers to such items do not fairly set forth the information they purport to show.

We consent to the use of this opinion in connection with the filing of the report of (name of registrant) with the Securities and Exchange Commission on Form N-1R.

\_\_\_\_\_  
(Signature of Independent Public Accountant)

*Instruction.* Any exceptions shall be specifically and clearly stated, together with the reasons therefor.

(Secs. 13, 15(d), 23(a), and 24, 49 Stat. 825, 828, 834 as amended, 15 U.S.C. 79m, 79c, 79w, 79x; secs. 30, 31, 38 and 45(a); 54 Stat. 836, 838, 841, 845; 15 U.S.C. 80a-29, 80a-30, 80a-37, 80a-44)

[F.R. Doc. 64-8214; Filed, Aug. 17, 1964; 8:45 a.m.]

# Notices

## DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

IMPORTATION OF CASSIA OIL  
DIRECTLY FROM VIET-NAM

Available Certifications by the  
Republic of Viet-Nam

Notice is hereby given that certificates of origin issued by the Ministry of National Economy of the Republic of Viet-Nam under procedures agreed upon between that Government and the Foreign Assets Control are now available with respect to the importation into the United States directly, or on a through bill of lading, from Viet-Nam of the following additional commodity:

Cassia oil.

[SEAL] STANLEY L. SOMMERFIELD,  
Acting Director,  
Foreign Assets Control.

[F.R. Doc. 64-8308; Filed, Aug. 17, 1964;  
8:48 a.m.]

### Office of the Secretary

[Treasury Department Order No. 167-62]

## COMMANDANT, U.S. COAST GUARD

### Delegation of Functions

By virtue of the authority vested in the Secretary of the Treasury by Reorganization Plan No. 26 of 1950 and 14 U.S.C. 631 and pursuant to the powers delegated to me in Treasury Department Order No. 190 (Revision No. 2), the Commandant, U.S. Coast Guard is hereby authorized to prescribe regulations under Executive Order No. 11157, dated 22 June 1964, governing the following military pay entitlements:

a. Incentive pay for hazardous duty.  
b. Special pay for sea duty and duty at certain places.

c. Basic allowances for subsistence.

d. Basic allowances for quarters.

Such regulations shall conform with those of the other military Services to the fullest extent practicable.

Sections 1, 3, 5 and 6 of Treasury Department Order No. 167-30, which previously delegated authority in the areas covered by a, b, c, and d above, are hereby revoked.

Dated: August 5, 1964.

JAMES A. REED,  
Assistant Secretary of the Treasury.

[F.R. Doc. 64-8310; Filed, Aug. 17, 1964;  
8:48 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

LACTYLIC STEARATE IN ENRICHED  
BREAD

### Notice of Issuance of Temporary Permit To Cover Market Testing

Pursuant to § 10.5(j) of Title 21, Code of Federal Regulations, concerning temporary permits to facilitate market testing of foods varying from the requirements of standards of identity promulgated pursuant to section 401 of the Federal Food, Drug, and Cosmetic Act, notice is given that a temporary permit has been issued to Continental Baking Company, Rye, New York, to cover interstate marketing tests of enriched bread deviating from the requirements of the standard of identity for such food (21 CFR 17.2). The bread will deviate from the standard in that it will contain lactic stearate complying with § 121.1048 of the regulations covering food additives. The quantity of the lactic stearate is not to exceed 0.5 part for each 100 parts by weight of flour used. The labels will state "Lactic stearate added." This permit expires August 1, 1965.

Dated: August 12, 1964.

GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 64-8312; Filed, Aug. 17, 1964;  
8:48 a.m.]

## Public Health Service

### LICENSED BIOLOGICAL PRODUCTS

Notice is hereby given that pursuant to section 351 of the Public Health Service Act, as amended (42 U.S.C. 262), and regulations issued thereunder (42 CFR Part 73), the following establishment license and product license actions have been taken from April 16, 1964 to July 15, 1964, inclusive.

These lists are supplementary to the lists of licensed establishments and products in effect on April 15, 1963, published on July 2, 1963 in 28 F.R. 6792, as amended by four lists, one of license actions taken from April 16, 1963, through July 15, 1963, published on August 7, 1963, in 28 F.R. 8050; one of license actions taken from July 16, 1963, through October 15, 1963, published on November 14, 1963, in 28 F.R. 12141; one of license actions taken from October 16, 1963, through January 15, 1964, published on February 15, 1964, in 29 F.R. 2514, and one of license actions taken from January 16, 1964, through April 15, 1964, published on May 12, 1964, in 29 F.R. 6264.

#### ESTABLISHMENT LICENSES ISSUED

Establishment	License No.	Date
Stewart Blood Bank, Inc., Tyler, Tex.	265	4-20-64
Tri-Counties Blood Bank, Inc., Santa Barbara, Calif.	198	4-23-64
Holy Cross Hospital of Silver Spring, Inc., Silver Spring, Md.	369	5-12-64
Banco de Sangre Metropolitano, Inc., Santurce, Puerto Rico.	347	6-3-64
Pitman-Moore, Division of The Dow Chemical Company, Zionsville, Ind.	110	6-9-64
Ames Atomium, Inc., Billerica, Mass.	370	7-7-64

#### PRODUCT LICENSES ISSUED

Product	Establishment	License No.	Date
Anti-Fy <sup>a</sup> Serum (Anti-Duffy)	National Bio Serums, Inc.	349	4-22-64
Anti-K Serum (Anti-Kell)	do		
Anti-Jk <sup>a</sup> Serum (Anti-Kidd)	Blood Grouping Laboratory of Boston, Inc.	159	4-24-64
Measles Immune Globulin (Human)	Hyland Laboratories	140	4-23-64
do	Lederle Laboratories Division, American Cyanamid Company.	17	4-23-64
Heparinized Whole Blood (Human)	Eastern Blood Bank	336	5-4-64
Packed Red Blood Cells (Human)	do		
Measles Immune Globulin (Human)	Parke, Davis and Co.	1	5-4-64
Citrated Whole Blood (Human)	Holy Cross Hospital of Silver Spring, Inc.	369	5-12-64
Packed Red Blood Cells (Human)	do		
Absorbed Anti-A Serum	Spectra Biologicals, Inc.	344	5-19-64
Packed Red Blood Cells (Human)	Western Pennsylvania Blood Center, Inc.	275	6-5-64
Anti-Fy <sup>a</sup> Serum (Anti-Duffy)	Spectra Biologicals, Inc.	344	6-5-64
Fibrinogen with Antihemophilic Factor (Human)	Cutter Laboratories	8	6-18-64
Anti-Rh Typing Serum, Anti-br <sup>+</sup> (Anti-e)	Spectra Biologicals, Inc.	344	6-23-64
Packed Red Blood Cells (Human)	Ohas. Pfizer & Co., Inc.	164	6-23-64
Radio-Iodinated (I <sup>125</sup> ) Serum Albumin (Human)	Ames Atomium, Inc.	370	7-7-64

## ESTABLISHMENT LICENSES REVOKED WITHOUT PREJUDICE

Establishment	License No.	Date
Institute for Applied Immunology, Chicago, Ill.	319	4-20-64
W. E. Stewart Blood Bank, Inc., Tyler, Tex.	265	4-20-64
Tri-Counties Blood Bank, Santa Barbara, Calif.	193	4-28-64
Banco de Sangre Metropolitano, Santurce, Puerto Rico.	347	6-3-64
Pitman-Moore Company, Division of The Dow Chemical Company, Zionsville, Ind.	110	6-9-64
Laboratoire du Bacteriophage, Paris, France.	103	6-29-64
Medical Center-State Health Dept. Blood Bank, Grand Forks, N. Dak.	236	7-6-64

## PRODUCT LICENSES REVOKED WITHOUT PREJUDICE

Product	Establishment	License No.	Date
Citrated Whole Blood (Human)	Institute for Applied Immunology	319	4-20-64
Coated Reagent Red Blood Cells (Human)	Spectra Biologicals, Inc.	344	5-1-64
Group AB Serum (Human)	Hyland Laboratories	140	5-15-64
Group AB Serum (Human)	Travenol Laboratories, Inc.	184	5-15-64
Bacterial antigens made from colon bacillus, dysentery bacillus, enterococcus, Friedlander bacillus, paratyphoid bacillus, paratyphoid bacillus A, paratyphoid bacillus B, pneumococcus, proteus bacillus, pyocyanus bacillus, staphylococcus albus, staphylococcus aureus, staphylococcus citreus, streptococcus, and typhoid bacillus.	Laboratoire du Bacteriophage	103	6-29-64
Citrated Whole Blood (Human)	Medical Center-State Health Dept. Blood Bank.	236	7-6-64

## Approved:

**RODERICK MURRAY,**  
Director, Division of Biologics Standards, National Institutes of Health, Public Health Service, U.S. Department of Health, Education, and Welfare.

## Approved:

**J. STEWART HUNTER,**  
Assistant to the Surgeon General for Information, Public Health Service, U.S. Department of Health, Education, and Welfare.

[F.R. Doc. 64-8313; Filed, Aug. 17, 1964; 8:48 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. RI65-130]

## KERR-McGEE OIL INDUSTRIES, INC.

**Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund**

AUGUST 11, 1964.

On July 20, 1964, Kerr-McGee Oil Industries, Inc. (Kerr-McGee)<sup>2</sup> tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

<sup>1</sup> Address is: Kerr-McGee Building, Oklahoma City, Okla., 73102.

Description, Notice of change, dated June 17, 1964.

Purchaser and producing area, Cities Service Gas Co. (Northwest Loveland Field, Harper County, Okla.) (Panhandle Area.)

Rate schedule designation: Supplement No. 2 to Kerr-McGee's FPC Gas Rate Schedule No. 76.

Effective date: Sept. 1, 1964.<sup>2</sup>

Amount of annual increase: \$761.

Effective rate: 16.0 cents per Mcf.<sup>3</sup>

Proposed rate: 17.0 cents per Mcf.<sup>3,4</sup>

Pressure base: 14.65 p.s.i.a.

Kerr-McGee's related contract was executed subsequent to September 28, 1960, the date of issuance of the Commission's Statement of General Policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56), and the proposed rate is above the applicable area ceiling for increased rates but does not exceed the applicable ceiling price for initial rates in the area involved. We believe, in this situation, Kerr-McGee's rate filing should be suspended for one day from September 1, 1964, the proposed effective date.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 2 to Kerr-McGee's FPC Gas Rate Schedule No. 76 be suspended and its use be deferred as ordered below.

<sup>2</sup> The stated effective date is the effective date proposed by Respondent.

<sup>3</sup> Subject to downward Btu adjustment.

<sup>4</sup> Periodic rate increase.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 2 to Kerr-McGee's FPC Gas Rate Schedule No. 76.

(B) Pending a hearing and decision thereon, Supplement No. 2 to Kerr-McGee's FPC Gas Rate Schedule No. 76 is hereby suspended and the use thereof deferred until September 2, 1964, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act: *Provided, however,* That said supplement shall become effective subject to refund on September 2, 1964, if within 20 days from the date of the issuance of this order Kerr-McGee shall execute and file under Docket No. RI65-130, with the Secretary of the Commission, its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon the purchaser under the rate schedule involved. Unless Kerr-McGee is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before October 7, 1964.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 64-8285; Filed, Aug. 17, 1964; 8:46 a.m.]

[Docket No. RI65-131 etc.]

## STANDARD OIL COMPANY OF TEXAS ET AL.

**Order Providing for Hearings on and Suspension of Proposed Changes in Rates<sup>1</sup>**

AUGUST 11, 1964.

Standard Oil Company of Texas, a Division of California Oil Company (Operator), and other Respondents listed herein, Docket Nos. RI65-131, et al.

<sup>1</sup> Does not consolidate for hearing or dispose of the several matters herein.



The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A below.

The proposed changed rates and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be sus-

pending and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before October 1, 1964.

By the Commission.

[SEAL]

JOSEPH H. GUTRIDE,  
Secretary.

## APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI65-131	Standard Oil Co. of Texas, a division of California Oil Co. (Operator), P.O. Box 1249, Houston, Tex., 77001, Attn: Mr. C. W. Proctor.	22	9	El Paso Natural Gas Co. (Kelly-Snyder Field, Scubby County, Tex.) (R.R. Dist. No. 8) (Permian Basin Area).	\$12,700	7-15-64	* 8-15-64	1-15-65	16.1046	* 17.1143	RI62-370.
RI65-132	Standard Oil Co. of Texas, a division of California Oil Co.	23	9	El Paso Natural Gas Co. (Eumont Field, Lea County, N. Mex.) (Permian Basin Area).	913	7-15-63	* 8-15-64	1-15-65	* 15.8563	* 16.8793	RI64-60.
					673				* 15.3993	* 16.4223	RI64-60.
		25	7	El Paso Natural Gas Co. (Pecos Valley Fossilman Field, Pecos County, Tex.) (R.R. Dist. No. 8) (Permian Basin Area).	494	7-15-64	* 8-15-64	1-15-65	* 15.2025	* 16.2160	RI62-368.
		28	5	El Paso Natural Gas Co. and Hunt Oil Co. (Wilshire-Ellenburger Field, Upton County, Tex.) (R.R. Dist. No. 7-c) (Permian Basin Area).	1,040	7-15-64	* 8-15-64	1-15-65	13.6823	* 15.2025	RI62-369.
		34	9	El Paso Natural Gas Co. (Langhe-Mattix Field, Lea County, N. Mex.) (Permian Basin Area).	20	7-15-64	* 8-15-64	1-15-65	* 15.8563	* 16.8793	RI64-60.
					90				* 15.3993	* 16.4223	
RI65-133	Pan American Petroleum Corp., P.O. Box 1410, Fort Worth, Tex., 76101, Attn: Mr. J. K. Smith.	35	9	do	217	7-15-64	* 8-15-64	1-15-65	* 15.8563	* 16.8793	RI64-60.
		49	2	El Paso Natural Gas Co. (Jack Herbert Field, Upton County, Tex.) (R.R. Dist. No. 7-c) (Permian Basin Area).	20	7-15-64	* 8-16-64	1-15-65	* 15.3993	* 16.4223	RI64-60.
					5,430	7-15-64	* 8-15-64	1-15-65	10 15.7093	* 16.7228	
		52	3	El Paso Natural Gas Co. (North Puckett Field, Pecos County, Tex.) (R.R. Dist. No. 8) (Permian Basin Area).	3,198	7-15-64	* 8-15-64	1-15-65	16.0000	* 18.2430	
RI65-134	Standard Oil Co. of Texas, a division of California Oil Co. (Operator), et al.	36	14	El Paso Natural Gas Co. (Various Fields, Lea County, N. Mex.) (Permian Basin Area).	39,562	7-15-64	* 8-15-64	1-15-65	* 15.8563	* 16.8793	RI64-61.
RI65-135	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif. 90017.	20	8	Kansas-Nebraska Natural Gas Co., Inc. (Camrick Area, Beaver and Texas Counties, Okla. (Panhandle Area).	1,202	7-15-64	* 8-15-64	1-15-65	* 15.3993	* 16.4223	RI64-61.
					5,678	7-15-64	* 8-15-64	1-15-65	* 14.3218	* 15.8563	RI64-88.
RI65-136	Tidewater Oil Co., P.O. Box 1404, Houston, Tex., 77001.	98	1	Cities Service Gas Co. (Southeast Woodward Field, Woodward County, Okla.) (Panhandle Area).	1,105	7-17-64	* 9-1-64	2-1-65	11 16.0	* 12 17.0	RI64-85.
RI65-137	Southwest Petroleum Management Corp., agent, et al., 1622 West Alabama Ave., Houston, Tex., 77008.	4	16	Texas Eastern Transmission Corp. (West Weesatchee Field, Goliad County, Tex.) (R.R. Dist. No. 2).	1,350	7-16-64	* 8-16-64	1-16-65	11 13.8733	* 14 14.3733	
RI65-138	Superwell Development Corp., 1662 Elm St., Manchester, N. H.	1	2	Transcontinental Gas Pipe Line Corp. (Stuart City Field, LaSalle County, Tex.) (R.R. Dist. No. 1).	2,203	7-16-64	* 8-16-64	1-16-65	10 13.68225	* 11 14.6	

\* The stated effective date is the effective requested by Respondent.

\* Periodic rate increase.

\* Pressure base is 14.65 p.s.i.a.

\* Includes partial reimbursement for full 2.55 percent New Mexico Emergency School Tax.

\* High pressure gas (above 600 p.s.i.g.).

\* Rate includes 0.4467 cent per Mcf compression charge by buyer for low pressure gas (below 600 p.s.i.g.).

\* Rate includes 0.5 cent per Mcf compression charge by buyer for low pressure gas (below 650 p.s.i.g.).

\* No sales estimated.

\* Initial rate.

\* The stated effective date is the first day after expiration of the required statutory notice.

\* Applicable only to gas-lift gas.

\* Subject to downward Btu adjustment.

\* Includes 1.0 cent per Mcf charge by seller for gathering, dehydration, and delivery of gas.

\* Rate is the result of a settlement offer approved by Commission order issued May 29, 1959, in Docket No. G-18205.

\* Rate is exclusive of an approximate 0.5 cent per Mcf cost to buyer for dehydration and gathering based on standard contract differential.

\* Renegotiated rate increase.

Pan American Petroleum Corporation requests an effective date of August 1, 1964, the contractually provided effective date, for its proposed rate increase. Southwest Petroleum Management Corporation, Agent, et al., (Southwest) requests waiver of notice to make its proposed rate increase effective as of July 16, 1964. Good cause has not been shown for waiving the 30-day notice requirement provided in Section 4(d) of the Natural Gas Act to permit earlier effective dates for the aforementioned producers' rate filings and such requests are denied.

Southwest's proposed increased rate is from a presently effective rate of 13.8733 cents per Mcf, a result of an offer of settlement deleting indefinite pricing provisions from the basic contract, and accepted by the Commission's order issued May 29, 1959, in Docket No. G-18205. The proposed rate of 14.3733 cents per Mcf is equivalent to 14.8733 cents per Mcf when an estimated 0.5 cent standard contract differential cost to the buyer for gathering and dehydration is taken into consideration, and exceeds the area ceiling price for increased rates in Texas Railroad District No. 2.

Superwell Development Corporation (Superwell) proposes a renegotiated rate increase to 14.6 cents in lieu of the 14.5 cents per Mcf periodic rate provided for in the basic contract, pursuant to an amendment dated June 15, 1964, submitted as part of the rate increase filing. In addition, the amendment provides for future 1.0 cent per Mcf periodic increases every five years after November 1, 1968. Superwell states that the amendment was made in conformity with the Seventh Amendment to the Commission's Statement of General Policy No. 61-1, as amended, which establishes 14.6 cents per Mcf as the increased ceiling rate for Texas Railroad District No. 2 when indefinite price escalation clauses, not to become effective prior to November 1, 1968, are retained. Since the basic contract does not contain indefinite pricing provisions which could be eliminated, the proposed increased rate does not come within the specific provisions of the Seventh Amendment and the 14.0 cents increased ceiling rate applies. We conclude that Superwell's proposed increased rate should be suspended as hereinbefore ordered.

Supplements Nos. 9, 9 and 9 to Standard Oil Company of Texas, a Division of California Oil Company, FPC Gas Rate Schedules Nos. 23, 34 and 35, respectively, and Supplement No. 14 to Standard Oil Company of Texas, a Division of California Oil Company (Operator), et al., FPC Gas Rate Schedule No. 36 (both producers referred to herein as Standard) include partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax which was increased from 2.0 percent to 2.55 percent effective April 1, 1963. The buyer, El Paso Natural Gas Company (El Paso), questions the right of Standard under its tax reimbursement clauses to file rate increases reflecting tax reimbursement computed on the basis of an increase in tax rate by the New Mexico Legislature in excess of 0.55 percent. While El Paso concedes that the New Mexico tax legislation effected a higher tax rate of at least 0.55 percent, they claim there is controversy as to whether or not the new legislation effected an increased tax rate in excess of 0.55 percent. Under the circumstances, the hearings provided for herein for Standard shall concern themselves with the contractual basis as well as the statutory lawfulness of Standard's proposed rate filings.

All of the proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56).

[Docket No. G-3270 etc.]

## MARSHALL R. YOUNG DRILLING CO. ET AL.

### Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates and Pending Certificate Application <sup>1</sup>

AUGUST 11, 1964.

Marshall R. Young Drilling Company (successor to Marshall R. Young) and other applicants listed herein, Docket Nos. G-3270, et al.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in ac-

cordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 1, 1964.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or notice to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIE,  
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-3270..... E 7-31-64	Marshall R. Young Drilling Co. (successor to Marshall R. Young).	United Gas Pipe Line Co., Bancroft and South Bancroft Fields, Beauregard Parish, La.	10.4970	15.025
G-7258..... E 8-4-64	Sinclair Oil & Gas Co. (successor to Hiawatha Oil and Gas Co.).	New York State Natural Gas Corp., Driftwood Field, Cameron County, Pa.	27.5	15.325
G-7272..... E 8-4-64	Sinclair Oil & Gas Co. (successor to Penn-Ohio Gas Co.).	do.....	27.5	15.325
G-9314..... D 8-3-64	Amerada Petroleum Corp.	Colorado Interstate Gas Co., acreage in Baca County, Colo.	(?)	-----
G-10963..... E 8-4-64	Sinclair Oil & Gas Co. (successor to Hiawatha Oil and Gas Co.).	Texas Eastern Transmission Corp., Greenwood-Waskom Field, Caddo Parish, La.	* 16.9513	15.025
G-11046..... C 7-13-64	Cities Service Oil Co.	Tennessee Gas Transmission Co., Block 88, East Cameron Area, offshore Louisiana.	19.0	15.025
G-13757..... D 8-6-64	Newmont Oil Co. (partial abandonment).	Transcontinental Gas Pipe Line Corp., various fields, Cameron, St. Mary, and Terrebonne Parishes, offshore Louisiana.	Assigned	-----
G-14402..... D 8-3-64	The Atlantic Refining Co.	Phillips Petroleum Co., Locust Ridge Field, Texas Parish, La.	Assigned	-----
G-16562..... 7-29-64 <sup>1</sup>	Mobley & McCain 1957 formerly Mobley & Stephens.	Texas Gas Transmission Corp., North Dubberly Area, Webster Parish, La.	17.5	15.025
G-17378..... D 8-3-64	Texaco Inc.	Transwestern Pipeline Co., East Panhandle Field, Wheeler County, Tex.	(?)	-----
G-20016..... E 8-4-64	Sinclair Oil & Gas Co. (successor to Hiawatha Oil and Gas Co. (Operator), et al.).	Transcontinental Gas Pipe Line Corp., various fields, Duval County, Tex.	* 9.032265	14.65
CI61-1197..... E 7-31-64	Smith and Kelley (successor to Walter Ward, et al.).	Hope Natural Gas Co., Sherman Dist., Calhoun County, W. Va.	25.0	15.325
CI61-1265..... C 6-3-63	Southern Union Production Co.	Southern Union Gathering Co., Mesa-verde and Dakota Formations, San Juan County, N. Mex.	13.0	15.025
CI62-532..... E 8-5-64	Frank Clowser and Betty Clowser (successor to C & G joint venture).	Hope Natural Gas Co., Otter Dist., Braxton County, W. Va.	20.0	15.325
CI62-856..... C 5-15-62	Richard H. Brumbaugh, d.b.a. Fireball Oil Co.	Hope Natural Gas Co., Smithfield Dist., Roane County, W. Va.	25.0	15.325
CI62-1464..... E 8-3-64	The Liberty Fuel Corp. of West Virginia (successor to Standard Oil & Gas, Inc.).	Hope Natural Gas Co., Waters Tract, Braxton and Lewis Counties, W. Va.	20.0	15.325
CI63-290..... E 7-31-64	Tex-Star Oil & Gas Corp. (successor to Mountain States Natural Gas Corp.).	El Paso Natural Gas Co., Basin Dakota Field, LaPlata County, Colo.	* 13.0	15.025
CI63-848..... C 8-6-64	Southwestern Development Co.	Hope Natural Gas Co., Union Dist., Ritchie County, W. Va.	25.0	15.325
CI63-1461..... C 7-23-64	Cleary Petroleum, Inc.	Arkansas Louisiana Gas Co., Starr Field, Kingfisher and Blaine Counties, Okla.	15.0	14.65

Filing code: A—Initial service.  
B—Abandonment.  
C—Amendment to add acreage.  
D—Amendment to delete acreage.  
E—Succession.

See footnotes at end of table.

<sup>1</sup> This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

[Project No. 1295]

## CALIFORNIA

## Partial Vacation of Withdrawal

August 11, 1964.

Pursuant to the filing on December 13, 1934, by Pacific Gas and Electric Company of an application for license for transmission line Project No. 1295, the Commission gave notice to the Commissioner, General Land Office (now the Bureau of Land Management), on April 13, 1936, of the reservation of approximately 158 acres of lands of the United States. Pursuant to the filing by the Company on June 13, 1938, of an amendatory application, the Commission gave notice to the Commissioner, General Land Office, on July 12, 1938, of the reservation of approximately 5.83 acres of additional lands of the United States. These notices embraced, among other lands, portions of the following described lands:

## MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 33 N., R. 2 W.,  
Sec. 4: lots 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
Sec. 11: lots 1, 2.  
T. 34 N., R. 2 W.,  
Sec. 30: lots 3, 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 32: SW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
T. 34 N., R. 3 W.,  
Sec. 21: lot 9, W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 28: lot 4 (redescribed as lot 17\*).  
T. 33 N., R. 4 W.,  
Sec. 18: lot 2.  
T. 32 N., R. 5 W.,  
Sec. 5: lot 4.  
T. 33 N., R. 5 W.,  
Sec. 18: lots 6, 7, S $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 32: lots 1, 3, 4, NW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 32 N., R. 7 W.,  
Sec. 2: SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 12: NW $\frac{1}{4}$ NE $\frac{1}{4}$ .  
T. 33 N., R. 7 W.,  
Sec. 17: lot 1.  
T. 33 N., R. 9 W.,  
Sec. 23: W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ .

In its letter-order dated August 13, 1947, to Pacific, the Commission found that none of the lines covered in the license for Project No. 1295 is part of any existing hydroelectric project as defined in section 3(11) of the Federal Power Act, and therefore, the lines are not subject to the licensing authority of the Commission. Pursuant to application filed July 12, 1954, by Pacific, the Commission by order of May 10, 1955, amended the license for Project No. 1295 to exclude therefrom all transmission lines which had been relocated or abandoned by the licensee.

In the circumstances, the Commission gave notice on April 29, 1964 (29 F.R. 5917) of those portions of lands now being occupied by Project No. 1295 following the filing of the amendatory application by Pacific. That notice superseded in their entirety the aforementioned notices given April 13, 1936, and July 12, 1938.

The Commission finds: Inasmuch as portions of the above-described lands

\*Memorandum for Register, District Land Office from Assistant Commissioner, General Land Office, dated Nov. 10, 1942, re-described lands according to dependent resurvey.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI64-278----- E 8-4-64	Sinclair Oil & Gas Co. (successor to Max Pray).	Lone Star Gas Co., East Doyle Field, Stephens County, Okla.	15.0	14.65
CI64-1259----- C 8-3-64	Marvin E. Wilhite, et al.	Hope Natural Gas Co., Warren Dist., Upshur County, W. Va.	25.0	15.325
CI64-1413 <sup>1</sup> ----- A 5-26-64	Roy L. Cook-----	El Paso Natural Gas Co., Aztec-Fruitland Field, San Juan County, N. Mex.	11.0	15.025
CI64-1425----- C 8-4-64	Sun Oil Co.-----	Arkansas Louisiana Gas Co., Cheniere Field, Ouachita Parish, La.	18.33	15.025
CI64-1472 <sup>10</sup> ----- A 6-10-64	Longhorn Production Co. (Operator), et al.	Natural Gas Pipeline Co. of America, acreage in Wise County, Tex.	<sup>11</sup> 15.25 + Btu adjustment	14.65
CI65-82----- A 7-31-64	Johnson and Magaw, Operator.	Panhandle Eastern Pipe Line Co., South Tegarden Field, Woods County, Okla.	<sup>12</sup> 17.0	14.65
CI65-84----- A 7-31-64	James F. Scott and Edison E. Ritter.	Equitable Gas Co., West Union Field, Doddridge County, W. Va.	25.0	14.4
CI65-85----- A 7-31-64	Socony Mobil Oil Co., Inc.	El Paso Natural Gas Co., Hogsback Unit, Sublette County, Wyo.	15.0	15.025
CI65-86----- B 7-31-64	do-----	Lone Star Gas Co., Katie Field, Garvin County, Okla.	Depleted	-----
CI65-87----- A 8-3-64	Shell Oil Co.-----	Texas Eastern Transmission Corp., Sheridan Field, Colorado County, Tex.	15.0	14.65
CI65-88----- A 8-3-64	Cherokee Gas Corp.-----	Texas Gas Transmission Corp., Vandetta Area, Hopkins County, Ky.	21.0	15.025
CI65-89----- A 8-3-64	Mull Drilling Co., Inc., et al.	Cities Service Gas Co., Medicine River Field, Barber County, Kans.	14.0	14.65
CI65-90----- A 8-3-64	Anadarko Production Co.	Natural Gas Pipeline Co. of America, West Panhandle Red Cave Field, Moore County, Tex.	12.0	14.65
CI65-91----- A 8-3-64	J. A. Mull, Jr., et al.	Cities Service Gas Co., Medicine River Field, Barber County, Kans.	14.0	14.65
CI65-92----- A 8-3-64	Aylward Drilling Co.-----	Cities Service Gas Co., Groendyke Area, Barber County, Kans.	14.0	14.65
CI65-93----- A 8-3-64	J. M. Smith No. 1-----	South Penn Oil Co., Spencer Dist., Roane County, W. Va.	15.0	15.325
CI65-94----- A 8-3-64	Monsanto Co. (formerly Monsanto Chemical Co.)	Texas Eastern Transmission Corp., Pena Field, DeWitt County, Tex.	10.0	14.65
CI65-95----- A 8-3-64	Pan American Petroleum Corp.	El Paso Natural Gas Co., Ute Dome Paradox Field, San Juan County, N. Mex.	14.321825	15.025
CI65-96----- B 8-3-64	Skinner Corp.-----	Transcontinental Gas Pipe Line Corp., Tynan Area, Bee County, Tex.	Depleted	-----
CI65-97----- A 8-3-64	The Frontier Refining Co.	Northern Natural Gas Co., Shapley (Mor- row) Field, Hansford County, Tex.	17.0	14.65
CI65-98 <sup>13</sup> ----- A 8-3-64	Texaco Inc.-----	El Paso Natural Gas Co., East Panhandle Field, Wheeler County, Tex.	13.0	14.65
CI65-99----- A 8-3-64	Amerada Petroleum Corp.	El Paso Natural Gas Co., Ignacio Field, LaPlata County, Colo.	13.0	15.025
CI65-100----- B 8-3-64	The Atlantic Refining Co.	United Gas Pipe Line Co., Roanoke Field, Jefferson Davis Parish, La.	Depleted	-----
CI65-101----- A 8-3-64	Pan American Petroleum Corp.	El Paso Natural Gas Co., Toctite Dome Field, San Juan County, N. Mex.	<sup>14</sup> 17.0	15.025
CI65-103----- A 8-3-64	James Drilling Corp.-----	Lake Shore Pipe Line Co., Bushnell (Pennsylvania) Field, Erie County, Pa.	27.0	15.025
CI65-104----- A 8-3-64	Sohio Petroleum Co.-----	Panhandle Eastern Pipe Line Co., Kouns Unit, Dewey County, Okla.	<sup>15</sup> 17.4	14.65
CI65-105----- A 7-31-64	Benedum-Trees Oil Co.-----	Northern Natural Gas Co., East Balco Field, Beaver County, Okla.	17.0	14.65 <sup>16</sup>
CI65-106----- B 8-4-64	Wolfe Oil & Gas Co.-----	American Louisiana Pipe Line Co., Savoy Field, St. Landry Parish, La.	( <sup>16</sup> )	-----
CI65-107 <sup>17</sup> ----- B 7-20-64	Humble Oil & Refining Co.	Lone Star Gas Co., acreage in Garvin County, Okla.	Depleted	-----
CI65-108----- A 8-4-64	J. Sterling McCluskey (Operator), et al.	Lake Shore Pipe Line Co., Bushnell (Pennsylvania) Field, Erie County, Pa.	27.0	15.025
CI65-109----- B 8-5-64	Gulf Oil Corp.-----	Trunkline Gas Co., Sarah White Field Area, Brazoria and Galveston Counties, Tex.	Depleted	-----
CI65-110----- A 8-5-64	Tenneco Oil Co.-----	Natural Gas Pipeline Co. of America, Putnam Field, Dewey County, Okla.	17.0	14.65
CI65-111----- A 8-3-64	Amerada Petroleum Corp. (partial succession).	Northwest Production Corp., Barnhart Field, Reagan County, Tex.	9.34703	14.65
CI65-112----- A 8-5-64	Willie King, et al.-----	Pennzoll Co., Henry Dist., Clay County, W. Va.	15.0	14.7
CI65-113----- A 8-6-64	Prudential Drilling Co.-----	Texas Eastern Transmission Corp., Choc- olate Bayou Field, Brazoria County, Tex.	14.0	14.65
CI65-114----- A 8-5-64	Socony Mobil Oil Co., Inc.	Northern Natural Gas Co., Southwest Balco Field, Beaver County, Okla.	17.0	14.65
CI65-115----- A 8-6-64	Midwest Oil Corp.-----	Texas Eastern Transmission Corp., Bethany-Longstreet Field, De Soto Parish, La.	<sup>18</sup> 15.0763	15.025

<sup>1</sup> Applicant seeks to abandon certain leases under basic contract from which gas has never been delivered.

<sup>2</sup> Rate in effect subject to refund in Docket No. R164-169.

<sup>3</sup> Application erroneously noticed July 23, 1964, in Docket Nos. G-5145, et al. at a rate of 18.5 cents per Mcf.

<sup>4</sup> Motion to amend certificate to reflect change in name.

<sup>5</sup> No permanent certificate issued—temporary authorization only.

<sup>6</sup> Buyer has been unable to connect the wells located on certain acreage committed under basic contract.

<sup>7</sup> Includes 0.0405 cent per Mcf tax reimbursement and 0.2193 cent per Mcf dehydration allowance.

<sup>8</sup> Rate in effect subject to refund in Docket No. R164-466.

<sup>9</sup> Application previously noticed June 9, 1964, in Docket Nos. G-2599, et al. at a rate of 12.0495 cents per Mcf;

by letter filed July 27, 1964. Applicant agreed to accept permanent certificate at a rate of 11.0 cents per Mcf.

<sup>10</sup> Application previously noticed June 16, 1964, in Docket Nos. G-7079, et al. at a rate of 15.0 cents per Mcf.

<sup>11</sup> Includes 0.25 cent per Mcf dehydration charge.

<sup>12</sup> Plus 75 percent of new, additional or increased taxes.

<sup>13</sup> Acreage involved herein is now covered by temporary authorization in Docket No. G-17378, and application to

delete same from G-17378 was filed contemporaneously with subject application.

<sup>14</sup> Although contract specifies an initial price of 17.0 cents, Applicant states its willingness to accept a certificate

at an initial price of 13.0 cents but reserves the right to subsequently file for a price increase up to the price provided

by the contract.

<sup>15</sup> Includes 2.4 cents B/TU adjustment.

<sup>16</sup> Encroachment of salt water.

<sup>17</sup> Application erroneously noticed July 23, 1964, as a petition to amend certificate in Docket No. G-4986.

<sup>18</sup> Plus tax reimbursement of 1.75 cents per Mcf.

[F.R. Doc. 64-8291; Filed, Aug. 17, 1964; 8:45 a.m.]

are no longer being occupied for the purposes for which they were withdrawn, no useful purpose would be served by retaining such portions (56.71 acres) in a withdrawn status in connection with Project No. 1295 and the withdrawal pertaining thereto should be vacated.

The Commission orders: The power withdrawal pertaining to Project No. 1295, insofar as it affects the above-designated lands, is hereby vacated.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 64-8287; Filed, Aug. 17, 1964;  
8:46 a.m.]

[Docket No. CI61-1752 etc.]

## SULTEX OIL AND GAS CORP.

### Findings and Order After Statutory Hearing Permitting and Approving Abandonment of Service, Terminating Certificate Authorization, Accepting Offer of Settlement, Severing and Terminating Rate Proceeding, and Accepting Related Rate Schedule for Filing

AUGUST 11, 1964.

On June 13, 1961, Sultex Oil and Gas Corporation (Sultex) filed in Docket No. CI61-1752 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon natural gas service to Tennessee Gas Transmission Company (Tennessee) from certain acreage in the Barbacoas Field, Starr County, Texas (R.R. Dist. No. 4), due to depletion of the dedicated gas reserves. This service by Sultex to Tennessee was originally certificated in Docket No. G-2718 to Sultex's predecessor, Sotex Oil and Gas Corporation, whose name was changed to Sultex in 1955.

A notice of change in the basic contract rate was filed by Sultex on August 6, 1959, and the proposed increased rate was suspended and the proceeding designated Docket No. G-19320 by order issued September 4, 1959. By order issued November 27, 1963, Docket No. G-19320 was consolidated in Area Rate Proceeding Docket No. AR64-2 et al.

It appears that delivery of natural gas by Sultex to Tennessee under the aforesaid basic contract, designated as Sultex Oil and Gas Corporation FPC Gas Rate Schedule No. 1, ceased about July 1, 1961, due to depletion. On August 2, 1962, Sultex tendered for filing an appropriate notice of cancellation of the contract, agreed to by Tennessee, which filing was tentatively designated as Supplement No. 3 to Sultex's FPC Gas Rate Schedule No. 1.

On April 3, 1964, Sultex filed an offer of settlement of the issues in rate proceeding Docket No. G-19320, concurred in by Tennessee whereby Sultex proposed to make refunds to Tennessee of all amounts collected in excess of 14.0 cents per Mcf at 14.65 psia, the price ceiling for the area involved, from the date (April 1, 1960) the suspended increase of 15.0952 cents per Mcf became effective subject to refund pursuant to the suspension or-

der issued September 4, 1959, to the date of actual payment, plus interest at 7 per cent per annum. With this offer of settlement, Sultex advised that on March 31, 1964, it transmitted to Tennessee its payment in the amount of \$3,052.74, computed on the foregoing basis.

After due notice, no petition to intervene, notice of intervention or protest to the granting of Sultex's application for abandonment has been filed.

At a hearing held on July 9, 1964, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the application and exhibits, the offer of settlement and the notice of cancellation, submitted in support of the authorization sought herein, and upon consideration of the record,

The Commission finds:

(1) Applicant, Sultex Oil and Gas Corporation (formerly Sotex Oil and Gas Corporation), a Delaware corporation having its principal place of business in Corpus Christi, Texas, is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission in its order of November 9, 1954, in Docket No. G-2718.

(2) The sale of natural gas proposed to be abandoned by Sultex as hereinbefore described and as more fully described in the application in Docket No. CI61-1752 is subject to the requirements of subsection (b) of section 7 of the Natural Gas Act and such abandonment should be permitted and approved as hereinafter ordered.

(3) The certificate of public convenience and necessity heretofore granted to Sultex's predecessor in Docket No. G-2718 should be terminated.

(4) The related notice of cancellation filed by Sultex and designated as Supplement No. 3 to Sultex Oil and Gas Corporation FPC Gas Rate Schedule No. 1 should be accepted for filing.

(5) It is in the public interest and appropriate in carrying out the provisions of the Natural Gas Act to accept the offer of settlement filed on April 3, 1964, by Sultex in Docket No. G-19320, to sever said Docket No. G-19320 from the Area Rate Proceeding in Docket No. AR64-2, et al., and to terminate said Docket No. G-19320.

The Commission orders:

(A) Permission for and approval of the abandonment of service by Sultex Oil and Gas Corporation as hereinbefore described and as more fully described in the application in Docket No. CI61-1752 are hereby granted.

(B) The certificate authorization heretofore granted to Sultex's predecessor in Docket No. G-2718 is hereby terminated.

(C) The related notice of cancellation, being a release and termination of the basic contract, filed by Sultex and designated as Supplement No. 3 to Sultex Oil and Gas Corporation FPC Gas Rate Schedule No. 1 is hereby accepted for filing.

(D) The offer of settlement in Docket No. G-19320 filed by Sultex on April 3, 1964, is hereby approved and accepted; said Docket No. G-19320 is hereby severed from the proceedings in Docket No.

AR64-2, et al.; and said Docket No. G-19320 is hereby terminated.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 64-8288; Filed, Aug. 17, 1964;  
8:46 a.m.]

[Docket No. CI61-810]

## TENNECO OIL CO. ET AL.

### Order Amending Order Issuing Certificate of Public Convenience and Necessity, Redesignating FPC Gas Rate Schedule, and Accepting Supplements to FPC Gas Rate Schedule for Filing

AUGUST 11, 1964.

On December 9, 1963, Tenneco Oil Company (Operator), et al. (Applicant), filed in Docket No. CI61-810 an application pursuant to section 7(c) of the Natural Gas Act for authorization to continue the sale of natural gas to Tennessee Gas Transmission Company from the Trull Field, Matagorda County, Texas, as successor in interest to Pel-Tex Petroleum Company, Inc. (Operator), et al. (Pel-Tex), all as more fully set forth in the application.

Pel-Tex was authorized to make the subject sale in Docket No. CI61-810 pursuant to a contract designated as its FPC Gas Rate Schedule No. 1. Applicant first acquired an interest in the properties as of July 1, 1961, and became operator on August 1, 1961.

Applicant has submitted a notice of succession to the related rate schedule and, as supplements to the related rate schedule, the assignments from certain parties having an interest in the properties and an adoption and ratification agreement.

After due notice no petition to intervene, notice of intervention, or protest to the granting of the application has been received.

The Commission finds:

(1) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the order issuing a certificate of public convenience and necessity in Docket No. CI61-810 should be amended by substituting Applicant in lieu of Pel-Tex as certificate holder.

(2) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the related rate schedule should be redesignated as a rate schedule of Applicant and that the notice of succession and supplements submitted by Applicant should be accepted for filing.

The Commission orders:

(A) The order issuing a certificate of public convenience and necessity in Docket No. CI61-810 be and the same is hereby amended by substituting Applicant in lieu of Pel-Tex as certificate holder, and in all other respects said order shall remain in full force and effect.

(B) The authorization granted in paragraph (A) above determines only

the payments which legally may be made under the contract by the buyer to the seller and does not estop the Commission from considering the appropriate cost to be attributed to the subject sale should the buyer's purchased gas costs be in issue in a future rate proceeding under sections 4(e) or 5(a) of the Natural Gas Act.

(C) The related rate schedule is redesignated as a rate schedule of Applicant and the supplements thereto are accepted for filing, all as follows:

New designation: Tenneco Oil Company (Operator), et al.		Former designation and description and date of instrument	Effective date
Rate schedule	Supplement		
140	-----	Pel-Tex Petroleum Company, Inc. (Operator), et al., FPC Gas Rate Schedule No. 1.	
140	-----	Notice of succession 12-23-63.	7-1-61
140	1	Assignment 12-29-61.	7-1-61
140	2	Assignment 8-14-61.	7-1-61
140	3	Assignment 8-18-61.	7-1-61
140	4	Adoption and Ratification Agreement 10-15-62.	-----

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 64-8289; Filed, Aug. 17, 1964; 8:46 a.m.]

## SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30, Rev. 9]

### REGIONAL DIRECTORS

#### Delegation of Authority To Conduct Program Activities

I. Pursuant to the authority vested in the Administrator by the Small Business Act, 72 Stat. 384, as amended; the Small Business Investment Act of 1958, 72 Stat. 689, as amended; there is hereby delegated to each regional director within his region, the authority:

A. *Financial assistance.* 1. To approve the following:

a. Business loans

(1) Direct not exceeding \$100,000.

(2) Participation not exceeding \$250,000.

b. Disaster loans

(1) Direct not exceeding \$100,000.

(2) Participation not exceeding \$150,000.

2. To decline direct and participation business and disaster loans of any amount.

3. To disburse approved loans.

4. To enter into business loan and disaster loan participation agreements with banks.

5. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator.

By \_\_\_\_\_

(Name)

Regional Director.

6. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

7. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

8. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

9. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.

\*\*10. To establish disaster field offices upon receipt of advice of the designation of a disaster area; to advise on the making of disaster loans; to appoint as a processing representative any bank in the disaster area; and to close disaster field offices when no longer advisable to maintain such offices.

11. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

B. *Investment program.* 1. To disburse section 502 loans.

2. To extend the disbursement period of section 502 loan authorizations or undisbursed portions of section 502 loans.

3. To cancel wholly or in part undisbursed balances of partially disbursed section 502 loans.

4. To do and perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of sections 502 loans.

5. To substitute, add, or change the collateral requirements of any loan authorization where such change will not

adversely affect the credit aspects of the loan.

6. Approve section 502 loans as follows:

a. Direct loans—\$50,000.

b. Participation loans where the bank's share is 10 percent or more—\$100,000.

7. Decline loan applications in the categories described above.

\*\*C. *Procurement assistance.* \*\*1. To approve applications for Certificates of Competency received from small business concerns which are located and will perform the contract within the geographical jurisdiction of his regional office, when the total value of the contract to be awarded as a result of the issuance of a Certificate of Competency does not exceed \$100,000.

\*\*2. To deny an application for a Certificate of Competency when the regional director agrees with an adverse survey report as to production or credit, unless application for an SBA loan is being filed, which loan must be approved in the Washington office.

D. *Administration.* \*\*1. To advertise regarding the public sale of (a) collateral in connection with the liquidation of loans, and (b) acquired property.

\*\*2. To purchase reproduction of loan documents, chargeable to the revolving fund, requested by U.S. Attorneys in foreclosure cases.

3. To (a) purchase all office supplies and expendable equipment, including all desk top items and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings in an amount not to exceed \$50 in any one instance; (c) contract for services required in setting up and dismantling and moving SBA exhibits.

4. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b) rent office equipment; (c) rent motor vehicles commercially when not available from General Services Administration; (d) procure (without dollar limitation) emergency supplies and materials.

5. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

E. *Eligibility determination.* To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

F. *Size determinations.* To make original determinations and determinations upon the reconsideration thereof as to which concerns are small business within the meaning of the Small Business Size Standards Regulations, as amended, except no determinations will be made in those cases which involve questions of dominance, questions relating to cooperatives, and questions involving franchise, license or other contractual agreements, unless otherwise authorized. This authorization does not permit the issuance of Small Business Certificates.

\*\*II. The specific authority delegated in subsection I.A.10; subsections I.C. 1 & 2, and subsections I.D. 1 & 2 cannot be redelegated. These are indicated by



asterisks (\*\*). The specific authority in the other subsections may be redelegated to the appropriate positions within the regional and branch offices.

III. All authority delegated herein may be exercised by any Small Business Administration employee designated as Acting Regional Director.

IV. All previous authority delegated by the Administrator to each Regional Director by Delegation of Authority No. 30 (Revision 8) is hereby rescinded without prejudice to actions taken under such Delegation of Authority prior to the date hereof.

Effective Date: August 17, 1964.

EUGENE P. FOLEY,  
Administrator.

[F.R. Doc. 64-8303; Filed, Aug. 17, 1964;  
8:47 a.m.]

[Declaration of Disaster Area 479]

## NORTH DAKOTA

### Declaration of Disaster Area

Whereas, it has been reported that during the month of July, 1964, because of the effects of certain disasters, damage resulted to residences and business property located in Ward County in the State of North Dakota;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Executive Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b) (1) of the Small Business Act, as amended, may be received and considered by the Offices below indicated from persons or firms whose property, situated in the aforesaid County and areas adjacent thereto, suffered damage or destruction resulting from high winds and hail and accompanying conditions occurring on or about July 27, 1964.

#### Offices:

Small Business Administration Regional Office, 603 Second Avenue South, Minneapolis 2, Minn.

Small Business Administration Branch Office, 207 North Fifth Street, Fargo, N. Dak.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to January 31, 1965.

Dated: July 29, 1964.

ROSS D. DAVIS,  
Executive Administrator.

[F.R. Doc. 64-8304; Filed, Aug. 17, 1964;  
8:48 a.m.]

## DEPARTMENT OF LABOR

### Wage and Hour Division

#### CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), and Administrative Order No. 579 (28 F.R. 11524) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods, for certificates issued under general learner regulations (29 CFR 522.1 to 522.9), and the principal product manufactured by the employer are as indicated below. Conditions provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.20 to 522.25, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Bee Bee Togs, Inc., Tarpon Springs, Fla.; effective 7-24-64 to 7-23-65 (children's longies and shirts and infants' crawlers).

Benton Industries, Inc., Colley Street, Benton, Pa.; effective 8-5-64 to 8-4-65 (men's and boys' sport shirts).

Clayburne Manufacturing Co., Inc., P.O. Box 666, Clayton, Ga.; effective 8-5-64 to 8-4-65 (men's sport shirts).

Glamorize Foundations, Inc., 161-163 West Water Street, Muncy, Pa.; effective 7-24-64 to 7-23-65 (women's bras).

Glenn Berry Manufacturers, Inc., 126 North River, Commerce, Okla.; effective 7-21-64 to 7-20-65 (boys' dungarees).

The Hercules Trousers Co., Wellston, Ohio; effective 7-30-64 to 7-29-65 (men's and boys' single pants).

Iva Manufacturing Co., Iva, S.C.; effective 7-20-64 to 7-19-65. Learners may not be employed at special minimum wages in the production of skirts (ladies' blouses).

Kingston Shirt Co., Inc., division of Ramar Shirt Co., Inc., 45 Pine Grove Avenue, Kingston, N.Y.; effective 7-25-64 to 7-24-65 (boys' shirts).

McMinnville Garment Co., McMinnville, Tenn.; effective 7-24-64 to 7-23-65 (men's and boys' cotton pants).

The Moyer Co., Commerce & Walnut Streets, Youngstown, Ohio; effective 7-24-64 to 7-23-65 (men's slacks).

Salant & Salant, Inc., P.O. Box 446, Marked Tree, Ark.; effective 8-5-64 to 8-4-65 (children's pants and shirts).

Henry I. Siegel Co., Inc., Dickson, Tenn.; effective 8-1-64 to 7-31-65 (men's, boys', ladies', and girls' single pants).

Stone Manufacturing Co., North, S.C.; effective 7-24-64 to 7-23-65 (men's shorts and children's shorts and blouses).

Sunbright Shirt Corp., Sunbright, Tenn.; effective 7-24-64 to 7-23-65 (boys' shirts).

Temple Apparel, Inc., 4434 Kutztown Road, Temple, Pa.; effective 7-22-64 to 7-21-65, (ladies' blouses).

Toby Manufacturing Co., Inc., 620-6 Franklin Avenue, Essex, Baltimore, Md.; effective 8-4-64 to 8-3-65 (men's work pants).

Top Notch Manufacturing Co., Inc., El Paso, Tex.; effective 7-27-64 to 7-26-65 (men's and boys' denim overalls and bedford cord overalls).

Wood Garment Manufacturing Co., Inc., Crane, Mo.; effective 8-4-64 to 8-3-65 (men's dress trousers).

Wood Garment Manufacturing Co., Inc., Republic, Mo.; effective 7-26-64 to 7-25-65 (men's dress trousers).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Edinburg Manufacturing Co., Wardensville, W. Va.; effective 7-26-64 to 7-25-65; 10 learners (infants' wear).

Elizabethtown Manufacturing Co., Elizabethtown, N.C.; effective 7-23-64 to 7-22-65; 10 learners (women's dresses).

Morris Maler Shirt Manufacturing Co., Inc., 320 North Arizona, Prescott, Ariz.; effective 7-22-64 to 7-21-65; 10 learners (ladies' blouses).

Paramount Sportswear Corp., 273 Pleasant Street, Fall River, Mass.; effective 7-24-64 to 7-23-65; 10 learners (children's jackets and snowsuits).

Wildwood Clothing Co., Inc., 112 East Schellenger Avenue, Wildwood, N.J.; effective 8-1-64 to 7-31-65; 10 learners (ladies' slacks and shorts and men's pants).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Barson & Co., 185 Delaware Avenue, Palmerton, Pa.; effective 7-21-64 to 1-20-65; 20 learners (ladies' blouses).

Bee Bee Togs, Inc., Tarpon Springs, Fla.; effective 7-24-64 to 1-23-65; 20 learners (children's longies and shirts and infants' crawlers).

Carthage Garment Corp., Carthage, Miss.; effective 7-22-64 to 1-21-65; 60 learners (boys' sport shirts).

Jacket King, Inc., NAD Area Building 17, Camden, Ark.; effective 7-24-64 to 1-14-65; 20 learners boys' zipper-front outerwear jackets).

The H. D. Lee Co., Inc., Richland, Mo.; effective 7-20-64 to 1-19-65; 100 learners (men's pants).

Cigar Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.80 to 522.85, as amended).

General Cigar Co., Inc., Fifth and Hickory Streets, Mount Carmel, Pa.; effective 7-23-64 to 7-22-65; 10 percent of the total number of factory production workers for normal labor turnover purposes (cigars).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.60 to 522.65, as amended).

Indianapolis Glove Co., Inc., Coshocton, Ohio; effective 8-3-64 to 8-2-65; 10 percent of the total number of machine stitchers for normal labor turnover purposes (canton flannel work gloves).

Wells Lamont Corp., Hugo, Okla., effective 7-29-64 to 7-28-65; 10 percent of the total number of machine stitchers for normal labor turnover purposes (leather palm work gloves and all leather work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.40 to 522.43, as amended).

Melrose Hosiery Mills, Inc., 1541 English Road; High Point, N.C.; effective 8-1-64 to 7-31-65; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Wee-Sox Hosiery Mills, Inc., Randleman, N.C.; effective 7-21-64 to 1-20-65; 30 learners for plant expansion purposes (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.30 to 522.35, as amended).

Albert of Arizona, a division of Kellwood Co., 234 South Extension Road, Mesa, Ariz.;

effective 7-18-64 to 7-17-65; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' lingerie, slips, petticoats, and sleepwear).

Bluemont Knitting Mills, Inc., Galax, Va.; effective 7-23-64 to 7-22-65; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' knit shirts and knit pajamas).

Hazlehurst Manufacturing Co., Vidalia, Ga.; effective 7-25-64 to 7-24-65; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' knitted and woven underwear).

Warner-Slimwear Lingerie, P.O. Box 457, Hemingway, S.C.; effective 7-5-64 to 7-4-65; 5 percent of the total number of factory production workers for normal labor turnover purposes (women's lingerie).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special

minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR, Part 528.

Signed at Washington, D.C., this 3d day of August 1964.

ROBERT G. GRONEWALD,  
Authorized Representative  
of the Administrator.

[F.R. Doc. 64-8293; Filed, Aug. 17, 1964; 8:46 a.m.]

## CUMULATIVE CODIFICATION GUIDE—AUGUST

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# FEDERAL REGISTER



The seal of the National Archives and Records Administration is centered between the words 'FEDERAL' and 'REGISTER'. It features an eagle with wings spread, perched on a shield with vertical stripes. Above the eagle's head is a scroll with the Latin motto 'LITTERA SCRIPTA MANET'. The words 'THE NATIONAL ARCHIVES' are arched above the eagle, and 'OF THE UNITED STATES' are arched below it. The year '1934' is printed at the bottom center of the seal.

VOLUME 29 1934 NUMBER 161

Washington, Tuesday, August 18, 1964

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Administrative Committee  
of the Federal Register

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## FEDERAL REGISTER REGULATIONS

# Rules and Regulations

## Title 1—GENERAL PROVISIONS

### Chapter I—Administrative Committee of the Federal Register

#### REVISION OF CHAPTER

Pursuant to the authority vested in the Administrative Committee of the Federal Register by the Federal Register Act (44 U.S.C. 301 et seq.) and in the Attorney General and the Administrator of General Services by Part V of Executive Order No. 10530 (empowering the Attorney General and the Administrator jointly to perform certain functions of the President with respect to the Federal Register Act), Chapter I of Title 1 of the Code of Federal Regulations is hereby revised to read as follows:

#### Subchapter A—General

##### Part

- 1 General information.
- 2 Services to the public.
- 3 Services to Federal agencies.
- 4 Agency representatives.

#### Subchapter B—Presidential Proclamations and Executive Orders

- 7 Preparation, presentation, filing, and publication of Executive orders and proclamations.

#### Subchapter C—The Federal Register

- 10 General.
- 11 Mandatory, authorized, and prohibited publication.
- 12 Publication schedules.
- 13 Order of arrangement in the FEDERAL REGISTER.
- 14 Indexes and ancillaries.
- 15 Distribution of FEDERAL REGISTER.
- 16 Preparation and transmittal of documents generally.
- 17 Preparation of documents subject to codification.
- 18 Preparation of notices and rule making proposals.

#### Subchapter D—Special Editions of the Federal Register

- 30 Code of Federal Regulations.
- 31 U.S. Government Organization Manual.
- 32 Public Papers of the Presidents of the United States.

#### Subchapter E—Definitions

- 40 Meaning of terms in this chapter.

#### SUBCHAPTER A—GENERAL

### PART 1—GENERAL INFORMATION

##### Sec.

- 1.0 Scope and purpose.
- 1.1 Administrative Committee of the Federal Register.
- 1.2 Office of the Federal Register; location, hours.
- 1.3 General authority of Director, Office of the Federal Register.
- 1.4 Publication of statutes, rules, and related documents.
- 1.5 Availability of Federal Register publications.

**AUTHORITY:** The provisions of this Part 1 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

#### § 1.0 Scope and purpose.

This chapter sets forth the procedures, policies, determinations, and delegations whereby the Administrative Committee of the Federal Register carries out its general responsibilities under the Federal Register Act. One of the primary purposes of this chapter is to inform the public of the nature and uses of Federal Register publications. Interested persons should consider not only the provisions of this part and Part 2 of this subchapter but also should read related provisions directed principally to the agencies of the Federal Government. These latter provisions develop details and assist the user in taking full advantage of the protection and services afforded under the Federal Register Act.

#### § 1.1 Administrative Committee of the Federal Register.

The Administrative Committee of the Federal Register, established by section 6 of the Federal Register Act, consists of the Archivist or Acting Archivist of the United States, who is chairman of the Committee, an officer of the Department of Justice, designated by the Attorney General, and the Public Printer or Acting Public Printer. The Director of the Office of the Federal Register serves as secretary of the Committee. All materials required by law to be filed with the Committee, and all correspondence, inquiries, and other communications intended for the Committee shall be directed to the Director at the Office of the Federal Register.

#### § 1.2 Office of the Federal Register; location, hours.

The Office of the Federal Register is a component of the National Archives and Records Service of the General Services Administration. The Office is located in the National Archives Building, Eighth Street and Pennsylvania Avenue NW., Washington, D.C. Office hours are from 8:45 a.m. to 5:15 p.m., Monday through Friday except official Federal holidays.

#### § 1.3 General authority of Director, Office of the Federal Register.

The Director is authorized to administer generally the provisions of this chapter, the related provisions of the Federal Register Act, and the pertinent provisions of acts and rules contemplated by section 5 of the Federal Register Act.

#### § 1.4 Publication of statutes, rules, and related documents.

The Office of the Federal Register is responsible for the central filing of the original acts comprising the laws enacted by the Congress, and the original documents comprising the public rules and notices issued pursuant to those laws by the executive branch of the United States Government. From these original acts

and documents, the Office publishes the *slip laws*, the *United States Statutes at Large*, the daily *FEDERAL REGISTER*, and the *Code of Federal Regulations*. From related official source material, the Office also publishes the *United States Government Organization Manual* and the *Public Papers of the Presidents of the United States*.

#### § 1.5 Availability of Federal Register publications.

The publications described in § 1.4 are printed by the Government Printing Office and may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. These publications are not available for free distribution to members of the public at large (see § 2.5 of this chapter).

## PART 2—SERVICES TO THE PUBLIC

##### Sec.

- 2.1 Inquiries and correspondence.
- 2.2 Information service.
- 2.3 Public inspection of documents.
- 2.4 Reproductions and certified copies of acts and documents.
- 2.5 Subscription and sale of publications.

**AUTHORITY:** The provisions of this Part 2 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

#### § 2.1 Inquiries and correspondence.

Inquiries and other correspondence should be addressed to the Director, Office of the Federal Register, National Archives Building, Washington, D.C. 20408.

#### § 2.2 Information service.

Information concerning the publications described in § 1.4 of this chapter and concerning the original acts and documents filed with the Office of the Federal Register will be given freely by the Office on request, unless the time required to provide that information would be excessive. Staff members of the Office will not undertake to summarize or interpret substantive text of any law or document.

#### § 2.3 Public inspection of documents.

Current documents filed with the Office pursuant to law are open to public inspection in the Office of the Federal Register, National Archives Building, during the working day. There are no formal inspection requirements or procedures. Manual, typewritten, or other copies or excerpts may be made freely at the inspection desk.

#### § 2.4 Reproductions and certified copies of acts and documents.

The furnishing of reproductions of acts and documents and the preparation and attachment of authentication certificates are governed by the rules covering the public use of records in the Na-



tional Archives (44 CFR Part 2). In general, the rules provide for the advance payment of appropriate fees for reproduction services and for certifying reproductions.

## § 2.5 Subscription and sale of publications.

Federal Register publications are available through subscription or sale to members of the public at large. Provisions governing subscription and sale are as follows:

(a) *Slip laws*. See section 191, title 44 of the United States Code.

NOTE: Orders for individual copies of public slip law prints or annual subscription to such prints are handled by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

(b) *U.S. Statutes at Large*. See section 196a, title 44 of the United States Code.

NOTE: Orders are handled by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Price of volume varies with each session of Congress.

(c) *Federal Register*. See §§ 15.10 and 15.11 of this chapter.

(d) *Code of Federal Regulations*. See §§ 30.16 and 30.17 of this chapter.

(e) *U.S. Government Organization Manual*. See § 31.23 of this chapter.

(f) *Public Papers of the Presidents of the United States*. See § 32.22 of this chapter.

## PART 3—SERVICES TO FEDERAL AGENCIES

### Subpart A—General

- Sec. 3.1 General cooperation.
- 3.2 Information service.
- 3.3 Submission of documents.
- 3.4 Informal staff assistance.
- 3.5 Reproductions and certified copies of acts and documents.
- 3.6 Official subscriptions and requisitions of Federal Register publications.

### Subpart B—Special Assistance

- 3.10 Information on document drafting and publication assistance.
- 3.11 Programs of technical instruction.

### Subpart C—Supplementary Printing and Editorial Services

- 3.15 Purpose.
- 3.16 Use of Federal Register standing type.
- 3.17 Overruns of Federal Register publications.
- 3.18 Special editorial service.
- 3.19 Supplementary loose-leaf services.

**AUTHORITY:** The provisions of this Part 3 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

### Subpart A—General

#### § 3.1 General cooperation.

The Director stands ready to cooperate fully with all agencies having business with the Office in order to assist such agencies in complying with pertinent publication laws and to assure efficient public service in the promulgation of administrative documents having the effect of law or of legal notice.

#### § 3.2 Information service.

The Office of the Federal Register stands ready to answer all appropriate inquiries presented in person, by telephone, or in writing. All written communications and all matters involving classified material or involving the Administrative Committee should be presented to the Director, Office of the Federal Register, National Archives Building, Washington, D.C. 20408.

#### § 3.3 Submission of documents.

Documents authorized or required by law to be filed with the Office or published in the FEDERAL REGISTER or filed with the Administrative Committee shall be presented to the Director.

#### § 3.4 Informal staff assistance.

The Office of the Federal Register is prepared to give informal assistance and advice to officials of the various agencies with respect to general or specific problems of rule drafting, rule making procedures, and promulgation practices.

#### § 3.5 Reproductions and certified copies of acts and documents.

Reproductions or certified copies of original acts and documents filed with the Office which are required for official use ordinarily will be furnished by the Director on request without charge. In cases involving voluminous material or numerous copies, the requesting agency may be required to reimburse the cost of reproduction.

#### § 3.6 Official subscriptions and requisitions of Federal Register publications.

The availability for official use of the Federal Register publications described in § 1.4 of this chapter varies with the nature of each publication. Provisions governing official distribution are as follows:

(a) *Slip laws*. See section 191, title 44 of the United States Code.

NOTE: Single copies may be obtained from the House or Senate Document Room, United States Congress. Quantity overruns of one or all of the slip laws may be obtained by timely submission of a requisition (Standard Form 1) to the Government Printing Office, Washington, D.C. 20402.

(b) *U.S. Statutes at Large*. See section 196a, title 44 of the United States Code.

NOTE: Written request for official copies should be directed to the Joint Committee on Printing, United States Capitol, Washington, D.C. 20510.

(c) *Federal Register*. See §§ 15.3 to 15.8 of this chapter.

(d) *Code of Federal Regulations*. See §§ 30.12 to 30.15 of this chapter.

(e) *U.S. Government Organization Manual*. See §§ 31.21 to 31.26 of this chapter.

(f) *Public Papers of the Presidents of the United States*. See §§ 32.15 to 32.19 of this chapter.

### Subpart B—Special Assistance

#### § 3.10 Information on document drafting and publication assistance.

The Director is authorized to prepare and distribute to agencies information

and instructions designed to promote effective compliance with the purposes of the Federal Register Act, related statutes, and the rules prescribed in this chapter.

#### § 3.11 Programs of technical instruction.

The Director is authorized to develop and conduct programs of technical instruction for the benefit of agencies. Programs shall be designed to explain and supplement the written materials distributed pursuant to § 3.10.

### Subpart C—Supplementary Printing and Editorial Services

#### § 3.15 Purpose.

The Director is authorized to provide special services to agencies to promote efficiency and economy through the use of printing and editorial facilities developed in editing and publishing the FEDERAL REGISTER and the Code of Federal Regulations.

#### § 3.16 Use of Federal Register standing type.

Type used in printing the FEDERAL REGISTER is normally available for reuse by agencies in making reprints on their own requisition. Printing and binding requisitions (Standard Form 1) shall be submitted to the Office for forwarding to the Government Printing Office.

#### § 3.17 Overruns of Federal Register publications.

To meet requirements for special distribution in substantial quantity, agencies may requisition overruns of any Federal Register publication by the timely submission of a printing and binding requisition (Standard Form 1) to the Government Printing Office. Detailed information regarding quantity overruns of each specific publication is provided in this chapter under § 3.6 (slip laws, U.S. Statutes at Large); §§ 15.6 and 15.7 (FEDERAL REGISTER); § 30.15 (Code of Federal Regulations); § 31.25 (U.S. Government Organization Manual); and § 32.18 (Public Papers of the Presidents of the United States).

#### § 3.18 Special editorial service.

The Office is prepared to compile and collate Code units as of a given date in order to assist the issuing agency in preparing a document for publication in the FEDERAL REGISTER. Requests for this service may be made to the Office informally.

#### § 3.19 Supplementary loose-leaf services.

The Director is authorized to cooperate with agencies in developing supplementary loose-leaf services covering special areas in which the need is sufficient to justify any added costs.

## PART 4—AGENCY REPRESENTATIVES

- Sec. 4.1 Designation.
- 4.2 Notification of designation.
- 4.3 Liaison duties.
- 4.4 Certifying duties.
- 4.5 Authorizing duties.

**AUTHORITY:** The provisions of this Part 4 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

**§ 4.1 Designation.**

Each agency shall designate representatives to serve in the following-described capacities in relation to the Office of the Federal Register:

Liaison officer and alternate.  
Certifying officer and alternate.  
Authorizing officer and alternate.

**§ 4.2 Notification of designation.**

Every agency shall notify the Director in writing of the name, title, address, and telephone extension of each agency representative designated in compliance with § 4.1. Whenever a change in representation is made by an agency, prompt notification thereof shall be given in writing to the Director.

**§ 4.3 Liaison duties.**

The liaison officer shall represent his agency in all matters relating to the submission of documents to the Office and respecting general compliance with the provisions of this chapter. He also shall be responsible for the effective distribution and use within his agency of Federal Register information on document drafting and publication assistance authorized by § 3.10 of this chapter, and for promoting his agency's participation in the programs of technical instruction authorized by § 3.11 of this chapter. Additional liaison duties, with respect to the U.S. Government Organization Manual, are described in § 31.12 of this chapter.

**§ 4.4 Certifying duties.**

The certifying officer shall be responsible for the attachment of the required number of true copies to all original documents submitted by his agency to the Office and for affixing his certification, as provided by §§ 16.6 and 16.7 of this chapter.

**§ 4.5 Authorizing duties.**

The authorizing officer shall be responsible for furnishing the Director with a current mailing list of individuals or offices authorized under the provisions of this chapter to receive for official use the FEDERAL REGISTER and the Code of Federal Regulations.

**SUBCHAPTER B—PRESIDENTIAL PROCLAMATIONS  
AND EXECUTIVE ORDERS**

**PART 7—PREPARATION, PRESENTATION,  
FILING, AND PUBLICATION  
OF EXECUTIVE ORDERS AND PROCLAMATIONS**

**Sec.****7.1 Form.****7.2 Routing and approval of drafts.****7.3 Routing and certification of originals and copies.****7.4 Proclamations calling for the observance of special days or events.****7.5 Proclamations of treaties excluded.****7.6 Definition.**

**NOTE:** The provisions of this Part 7 are derived from sections 1 to 6 of Executive Order 11030, 27 F.R. 5847, 3 CFR, 1962 Supp.

**CROSS REFERENCE:** For provisions respecting publication of Presidential documents in the Code of Federal Regulations, see § 30.8 of this chapter.

**§ 7.1 Form.**

Proposed Executive orders and proclamations shall be prepared in accordance with the following requirements:

(a) The order or proclamation shall be given a suitable title.

(b) The order or proclamation shall contain a citation of the authority under which it is issued.

(c) Punctuation, capitalization, spelling, and other matters of style shall, in general, conform to the most recent edition of the United States Government Printing Office Style Manual.

(d) The spelling of geographic names shall conform to the decisions of the Board on Geographic Names, established by section 2 of the act of July 25, 1947, 61 Stat. 456 (43 U.S.C. 364a).

(e) Descriptions of tracts of land shall conform, so far as practicable, to the most recent edition of the "Specifications for Descriptions of Tracts of Land for Use in Executive Orders and Proclamations," prepared by the Bureau of Land Management, Department of the Interior.

(f) Proposed Executive orders and proclamations shall be typewritten on paper approximately 8 x 13 inches, shall have a left-hand margin of approximately 1½ inches and a right-hand margin of approximately 1 inch, and shall be double-spaced except that quotations, tabulations, and descriptions of land may be single-spaced.

**§ 7.2 Routing and approval of drafts.**

(a) A proposed Executive order or proclamation shall first be submitted, with seven copies thereof, to the Director of the Bureau of the Budget, together with a letter, signed by the head or other properly authorized officer of the originating Federal agency, explaining the nature, purpose, background, and effect of the proposed Executive order or proclamation and its relationship, if any, to pertinent laws and other Executive orders or proclamations.

(b) If the Director of the Bureau of the Budget approves the proposed Executive order or proclamation, he shall transmit it to the Attorney General for his consideration as to both form and legality.

(c) If the Attorney General approves the proposed Executive order or proclamation, he shall transmit it to the Director of the Office of the Federal Register, National Archives and Records Service, General Services Administration: *Provided*, That in cases involving sufficient urgency the Attorney General may transmit it directly to the President: *And provided further*, That the authority vested in the Attorney General by this section may be delegated by him, in whole or in part, to the Deputy Attorney General, Solicitor General, or to such Assistant Attorney General as he may designate.

(d) After determining that the proposed Executive order or proclamation conforms to the requirements of § 7.1 and is free from typographical or clerical error, the Director of the Office of the Federal Register shall transmit it and three copies thereof to the President.

(e) If the proposed Executive order or proclamation is disapproved by the Director of the Bureau of the Budget or by the Attorney General, it shall not thereafter be presented to the President unless it is accompanied by a statement of the reasons for such disapproval.

**§ 7.3 Routing and certification of originals and copies.**

(a) If the order or proclamation is signed by the President, the original and two copies thereof shall be forwarded to the Director of the Office of the Federal Register for publication in the FEDERAL REGISTER: *Provided*, That prior to such forwarding the Seal of the United States shall be affixed to the originals of proclamations to the extent required by statute or Executive order.

(b) The Office of the Federal Register shall cause to be placed upon the copies of all Executive orders and proclamations forwarded as provided in paragraph (a) of this section the following notation, to be signed by the Director or by some person authorized by him to sign such notation: "Certified to be a true copy of the original."

**§ 7.4 Proclamations calling for the observance of special days or events.**

Except as may be otherwise provided by law, responsibility for the preparation and presentation of proposed proclamations calling for the observance of special days, or other periods of time, or events shall be assigned by the Director of the Bureau of the Budget to such agencies as he may consider appropriate. Such proposed proclamations shall be submitted to the Director at least 60 days before the date of the specified observance.

**§ 7.5 Proclamations of treaties excluded.**

Consonant with the provisions of section 12 of the Federal Register Act (49 Stat. 503; 44 U.S.C. 312), nothing in this order shall be construed to apply to treaties, conventions, protocols, or other international agreements, or proclamations thereof by the President.

**§ 7.6 Definition.**

The term "Presidential proclamations and Executive orders," as used in section 5(a) of the Federal Register Act (44 U.S.C. 305(a)), shall, except as the President or his representative may hereafter otherwise direct, be deemed to include such attachments thereto as are referred to in the respective proclamations or orders.

**SUBCHAPTER C—THE FEDERAL REGISTER**

**PART 10—GENERAL**

**Sec.****10.1 Publication policy.****10.2 Daily publication.****10.3 Keying to Code of Federal Regulations.****10.4 Form of citation.****10.5 Unrestricted use.**

**AUTHORITY:** The provisions of this Part 10 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

**§ 10.1 Publication policy.**

(a) Pursuant to the act and the provisions of this chapter, the Office shall

maintain a serial publication designated as the "FEDERAL REGISTER." It is the intent of the Administrative Committee that documents required or authorized to be filed for publication shall be published in the FEDERAL REGISTER as promptly as possible within limitations imposed by considerations of accuracy, usability, and reasonable costs.

(b) In prescribing rules governing headings, preambles, effective dates, authority citations, and similar matters of form, the Administrative Committee does not intend such rules to be construed as bearing on the validity of any document which is, in fact, filed and published under law.

#### § 10.2 Daily publication.

The FEDERAL REGISTER shall be published daily Tuesday through Saturday. There shall be no publication on Sunday, Monday, or on the day after an official Federal holiday.

#### § 10.3 Keying to Code of Federal Regulations.

Documents subject to codification, published in the daily issues of the FEDERAL REGISTER, shall be keyed to the Code of Federal Regulations and shall serve as daily supplements thereto.

#### § 10.4 Form of citation.

Without prejudice to any other mode of citation, the contents of the FEDERAL REGISTER may be cited by volume and page number. The approved short form of citation to the FEDERAL REGISTER is "F.R." Thus "29 F.R. 3820" refers to material beginning on page 3820 of volume 29 of the daily issues.

#### § 10.5 Unrestricted use.

There are no restrictions on the reproduction or republication of materials appearing in the FEDERAL REGISTER.

### PART 11—MANDATORY, AUTHORIZED, AND PROHIBITED PUBLICATION

#### MANDATORY

- Sec. 11.1 Proclamations, Executive orders, and other Presidential documents.
- 11.2 Documents having general applicability and legal effect.
- 11.3 Classes created by act of Congress.

#### AUTHORIZED

- 11.5 Documents of public interest.

#### EXPIRATION NOTICES

- 11.7 Notification of expiration of codified material.

#### CORRECTION OF ERRORS

- 11.10 Errors in documents.
- 11.11 Errors in printing.

#### UNAUTHORIZED, OR PROHIBITED

- 11.20 Comments and news items.
- 11.21 International agreements.
- 11.22 Papers other than documents.

**AUTHORITY:** The provisions of this Part 11 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

#### MANDATORY

#### § 11.1 Proclamations, Executive orders, and other Presidential documents.

All Presidential proclamations and Executive orders in the numbered series,

and all other documents which the President submits for publication or orders to be published, are filed with the Office and published in the FEDERAL REGISTER.

#### § 11.2 Documents having general applicability and legal effect.

Every document issued under proper authority prescribing a penalty or a course of conduct, conferring a right, privilege, authority, or immunity, or imposing an obligation, and relevant or applicable to the general public, the members of a class, or the persons of a locality, as distinguished from named individuals or organizations, is hereby determined to have general applicability and legal effect. Such documents shall be filed with the Office and published in the FEDERAL REGISTER.

#### § 11.3 Classes created by act of Congress.

Documents or classes of documents required to be published by act of Congress shall be filed with the Office and published in the FEDERAL REGISTER.

#### AUTHORIZED

#### § 11.5 Documents of public interest.

Other documents which in the opinion of the Director are of sufficient public interest to warrant such publication may be filed with the Office and published in the FEDERAL REGISTER.

#### EXPIRATION NOTICES

#### § 11.7 Notification of expiration of codified material.

(a) Whenever a document subject to codification expires after a specified period by its own terms or by statutory provision, notification by document of the actual expiration date should be submitted for publication in the FEDERAL REGISTER.

(b) If the preparation of such a document is not expedient, the responsible agency shall provide the Director with timely notification in writing that the document is no longer in effect, citing the pertinent terms.

#### CORRECTION OF ERRORS

#### § 11.10 Errors in documents.

After a document has been formally filed for public inspection and publication, errors in the substantive text thereof may be corrected only by the formal filing and publication of another document effecting the correction.

#### § 11.11 Errors in printing.

Typographical or clerical errors made in the printing of the FEDERAL REGISTER shall be corrected by the insertion of an appropriate notation or by a reprinting in the FEDERAL REGISTER published without further agency documentation: *Provided*, That the Director determines that the error (1) tends to confuse or mislead the reader, or (2) would affect text subject to codification.

#### UNAUTHORIZED OR PROHIBITED

#### § 11.20 Comments and news items.

The act prohibits the publication in the FEDERAL REGISTER of comments or news items of any character whatsoever (44 U.S.C. 305(b)).

#### § 11.21 International agreements.

The act does not apply to treaties, conventions, protocols, and other international agreements, or proclamations thereof by the President (44 U.S.C. 312).

**NOTE:** The materials described in § 11.21 are published by the Secretary of State pursuant to 1 U.S.C. 112a.

#### § 11.22 Papers other than documents.

The act authorizes and requires the publication of certain "documents," as that term is defined in section 4 of the act (44 U.S.C. 304), and does not authorize or require the publication of papers that do not come within that definition.

### PART 12—PUBLICATION SCHEDULES

#### Sec.

- 12.1 Publication schedules.
- 12.2 Receipt and processing.
- 12.3 Filing for public inspection.

#### EMERGENCY SCHEDULE

- 12.5 Procedure for Schedule 1.
- 12.6 Criteria for Schedule 1.
- 12.7 Timing.
- 12.8 Transmittal from distant points.

#### REGULAR SCHEDULE

- 12.11 Procedure for Schedule 2.
- 12.12 Timing.

#### SPECIAL SCHEDULE

- 12.15 Procedure for Schedule 3.
- 12.16 Criteria for Schedule 3.
- 12.17 Timing.

**AUTHORITY:** The provisions of this Part 12 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

#### § 12.1 Publication schedules.

Documents properly submitted for publication in the FEDERAL REGISTER shall be immediately assigned by the Office to one of the following publication schedules:

- Schedule 1—Emergency.
- Schedule 2—Regular.
- Schedule 3—Special.

#### § 12.2 Receipt and processing.

Documents shall be received during a working day. Upon receipt, documents shall be held for confidential processing until filed for public inspection.

#### § 12.3 Filing for public inspection.

Documents shall be filed for public inspection on the working day preceding the publication day thereof. The Office shall place upon the original and certified copies of all documents a notation of the day and hour when they are filed and made available for public inspection.

#### EMERGENCY SCHEDULE

#### § 12.5 Procedure for Schedule 1.

A document shall be assigned to "Schedule 1—Emergency" upon specific request of the issuing agency and agreement thereto by the Director. Requests may be made by letter of transmittal or otherwise, as time permits. Confirmation of the assignment shall be made as promptly as possible.

#### § 12.6 Criteria for Schedule 1.

Schedule 1 is designed to provide the fastest possible publication of a docu-

ment involving the prevention, alleviation, control, or relief of an emergency situation. Requests for such publication should briefly describe the emergency and the benefits attributable to immediate publication in the *FEDERAL REGISTER*. Assignments to Schedule 1 shall be allowed whenever feasible.

#### § 12.7 Timing.

Documents received by the Office before noon and assigned to Schedule 1 shall be published in the daily issue next following. Whenever such documents are received in the afternoon, they shall be published as soon thereafter as practicable.

#### § 12.8 Transmittal from distant points.

The text of a Schedule 1 document may be transmitted from a distant field installation to its Washington office by telecommunication. Certified transcriptions thereof may be filed forthwith, in advance of receipt of the original document. The original document must then be filed at the earliest possible time. In such cases, the publication date under Schedule 1 shall be based on receipt by the Office of the certified transcribed copies. (See § 16.1(b) of this chapter.)

#### REGULAR SCHEDULE

#### § 12.11 Procedure for Schedule 2.

In the absence of special arrangement with the issuing agency, documents shall be assigned to Schedule 2 for regular publication. Receipt in the ordinary course of business shall be considered as a request for such publication.

#### § 12.12 Timing.

Documents assigned to Schedule 2 shall be held for confidential processing, including typesetting, for one full working day after receipt, shall be filed by the Office for public inspection on the next working day, and shall be published on the publication day next following the day of filing. Thus the regular schedule of publication shall be as follows:

Received	Filed	Published
Monday-----	Wednesday----	Thursday.
Tuesday-----	Thursday-----	Friday.
Wednesday-----	Friday-----	Saturday.
Thursday-----	Monday-----	Tuesday.
Friday-----	Tuesday-----	Wednesday.

#### SPECIAL SCHEDULE

#### § 12.15 Procedure for Schedule 3.

(a) Documents received in the ordinary course of business may be assigned to Schedule 3 by the Director, who shall cause the liaison officer concerned to be immediately notified of the assignment and the reasons therefor.

(b) Documents that are the subject of agreements involving special editorial or publication services may be placed in Schedule 3 by prearrangement.

#### § 12.16 Criteria for Schedule 3.

Except by prearrangement, documents may be assigned to Schedule 3 only because of technical problems requiring additional time to prepare material for the press. Such requirement for additional time generally may be obviated through advance consultation with the Office respecting unusual tabulations,

illustrations, or exceptionally voluminous submissions.

#### § 12.17 Timing.

(a) Except as provided in paragraph (b) of this section, documents assigned to Schedule 3 because of technical problems shall be published as nearly on regular schedule as practicable.

(b) Documents assigned to Schedule 3 by prearrangement shall be published on the date agreed upon, without regard to the regular schedule.

### PART 13—ORDER OF ARRANGEMENT IN THE FEDERAL REGISTER

#### Sec.

- 13.1 General.
- 13.2 The President.
- 13.3 Rules and Regulations.
- 13.4 Proposed Rule Making.
- 13.5 Notices.

**AUTHORITY:** The provisions of this Part 13 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

#### § 13.1 General.

Documents published in the *FEDERAL REGISTER* shall be arranged under four principal headings in the following order:

The President.  
Rules and Regulations.  
Proposed Rule Making.  
Notices.

#### § 13.2 The President.

There shall be published under this heading all Executive orders and proclamations in the numbered series, and all other Presidential documents which the President submits for publication or orders to be published.

#### § 13.3 Rules and Regulations.

There shall be published under this heading all other documents subject to codification.

#### § 13.4 Proposed Rule Making.

There shall be published under this heading all general notices of proposed rule making submitted pursuant to section 4(a) of the Administrative Procedure Act or pursuant to the provisions of any other act, and similar notices voluntarily undertaken by the issuing agency.

#### § 13.5 Notices.

There shall be published under this heading all documents not falling within the provisions of §§ 13.2 to 13.4. These documents include:

- (a) Miscellaneous documents not subject to codification.
- (b) Notices of hearings that are not included under proposed rule making.
- (c) Documents which in the opinion of the Director are of sufficient public interest to warrant publication. (See § 11.5 of this chapter.)

### PART 14—INDEXES AND ANCILLARIES

#### SUBJECT INDEXES

#### Sec.

- 14.1 Daily contents.
- 14.2 Analytical subject indexes.

#### NUMERICAL FINDING AIDS

#### Sec.

- 14.5 Daily Codification Guides.
- 14.6 Monthly Cumulative Codification Guides.

**AUTHORITY:** The provisions of this Part 14 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

#### SUBJECT INDEXES

#### § 14.1 Daily contents.

The contents of each *FEDERAL REGISTER* shall be appropriately indexed under the names of the issuing agencies.

#### § 14.2 Analytical subject indexes.

Analytical subject indexes covering the contents of the *FEDERAL REGISTER* shall be separately published as currently as practicable, and shall be cumulated and separately published at least once each calendar year.

#### NUMERICAL FINDING AIDS

#### § 14.5 Daily Codification Guides.

Each daily issue shall carry a numerical list of the parts of the Code expressly affected by documents published in that issue. Beginning with the second issue of the month, each daily issue shall also carry a cumulated list of the parts affected by documents published during that month.

#### § 14.6 Monthly Cumulative Codification Guides.

Monthly Codification Guides shall be separately published on a cumulative basis during each calendar year. They shall contain a cumulative numerical list of the sections of the Code expressly affected by documents published in the *FEDERAL REGISTER* during the period covered.

### PART 15—DISTRIBUTION OF FEDERAL REGISTER

#### Sec.

- 15.1 General.

#### OFFICIAL DISTRIBUTION

- 15.3 The Congress.
- 15.4 Judicial branch.
- 15.5 Executive agencies.
- 15.6 Requisitions for quantity overruns of specific issues.
- 15.7 Requisitions for quantity overruns of separate Part II issues.
- 15.8 Extra copies.

#### PUBLIC SALE

- 15.10 Monthly or annual subscription.
- 15.11 Individual copies.

**AUTHORITY:** The provisions of this Part 15 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

#### § 15.1 General.

The Government Printing Office shall make distribution of the *FEDERAL REGISTER* by delivery or by deposit at a post office at or before 9:00 a.m. of the publication day.

#### OFFICIAL DISTRIBUTION

#### § 15.3 The Congress.

Members of the Congress shall be entitled to a maximum of 5 copies daily.

**§ 15.4 Judicial branch.**

(a) *Supreme Court.* The FEDERAL REGISTER shall be furnished without charge to the United States Supreme Court in such numbers as are needed for official use.

(b) *Other courts.* The FEDERAL REGISTER shall be furnished without charge to the other constitutional courts and the legislative courts of the United States in such numbers as are needed for official use. The Director of the Administrative Office of the United States Courts or his delegate shall submit written authorizations to the Director of the Federal Register specifying the quantities so required.

**§ 15.5 Executive agencies.**

The FEDERAL REGISTER shall be furnished without charge to officers and employees of the United States in such numbers as are needed for official use. Requests for placement on the FEDERAL REGISTER mailing list shall be made, in writing, to the Director by the person in the agency concerned who is authorized under §§ 4.1 and 4.5 of this chapter to list offices and employees who need to receive the FEDERAL REGISTER for official use.

**§ 15.6 Requisitions for quantity overruns of specific issues.**

To meet requirements for special distribution of the FEDERAL REGISTER in substantial quantity, agencies may request an overrun of a specific issue. Advance printing and binding requisitions (Standard Form 1), submitted by the agency directly to the Government Printing Office, must be received no later than 12 noon of the day before publication.

**§ 15.7 Requisitions for quantity overruns of separate Part II issues.**

Whenever copies in substantial quantity are required of a document estimated to fill at least sixteen FEDERAL REGISTER pages (approximately 80 or more typewritten double-spaced pages), such document may be published as a separate Part II of the FEDERAL REGISTER. Advance arrangements for this service must be made with the Office of the Federal Register. Copies of any such Part II may then be obtained by following the procedure described in § 15.6.

**§ 15.8 Extra copies.**

Requests for limited quantities of extra copies of a particular issue of the FEDERAL REGISTER for official use must be addressed to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Extra copies must be paid for by the agency or official requesting them.

**PUBLIC SALE****§ 15.10 Monthly or annual subscription.**

The daily issues of the FEDERAL REGISTER shall be furnished to subscribers on a monthly or an annual basis, at a price determined by the Administrative Committee. The subscription price must be paid in advance to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

**§ 15.11 Individual copies.**

Limited quantities of current or recent copies may be obtained from the Superintendent of Documents at a price determined by him.

**PART 16—PREPARATION AND TRANSMITTAL OF DOCUMENTS GENERALLY****ORIGINAL AND COPIES**

- Sec. 16.1 Original and copies required.
- 16.2 Letters of transmittal.
- 16.3 Letter form.
- 16.4 Typewritten originals.
- 16.5 Printed or processed documents.
- 16.6 Certified copies.
- 16.7 Form of certification.
- 16.8 Signature.
- 16.9 Seal.

**STYLE**

- 16.15 Punctuation, capitalization, orthography.
- 16.16 Geographic names.
- 16.17 Descriptions of tracts of land.

**ILLUSTRATIONS, TABULAR MATERIAL, AND FORMS**

- 16.20 Illustrations and tabular material.
- 16.21 Forms.

**AUTHORITY:** The provisions of this Part 16 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

**CROSS REFERENCE:** For preparation of Presidential proclamations and Executive orders, see Subchapter B of this chapter.

**ORIGINAL AND COPIES****§ 16.1 Original and copies required.**

(a) Ordinarily an original and two duplicate originals or certified copies of all documents required or authorized to be published in the FEDERAL REGISTER shall be submitted to the Office.

(b) Agencies submitting documents printed or processed on both sides shall furnish, in addition to an original, three duplicate originals or certified copies.

(c) In the case of documents issued outside the District of Columbia, certified text may be submitted in lieu of the original (see § 12.8 of this chapter). The certified text must be replaced by the original document as soon as possible for filing as required by section 2 of the Federal Register Act.

**§ 16.2 Letters of transmittal.**

Letters of transmittal are not required, but should be used whenever special handling or treatment is desired. (See Part 12 of this chapter.)

**§ 16.3 Letter form.**

The Code of Federal Regulations should never be amended by an instrument in the form of a letter. In fact, a letter is not an appropriate form for any document prepared for publication in the Rules and Regulations, Proposed Rule Making, or Notices portions of the FEDERAL REGISTER.

**§ 16.4 Typewritten originals.**

In general, documents shall be typewritten on white bond paper approximately 8 by 10½ inches, shall have a left-hand margin of approximately 1½

inches, and a right-hand margin of approximately 1 inch, and shall be double-spaced.

**§ 16.5 Printed or processed documents.**

Printed or processed documents may be accepted for filing and publication. The submitting agency shall obtain the prior approval of the Director respecting the suitability of such submission as an archival original and as printer's copy. Under no circumstances shall photostatic copies be accepted as original documents.

**§ 16.6 Certified copies.**

The certified copies or duplicate originals required under § 16.1 shall be attached to the original of all documents. All copies shall be entirely clear and legible. Copies of typewritten originals shall consist of either positive photostats on paper of a matte surface, electrostatic copies, or the first two carbon copies of the ribbon original. The time of filing and publication shall be governed by the time when clear and legible copies are submitted.

**§ 16.7 Form of certification.**

The copies of all documents required or authorized to be filed with the Office, except documents issued by the President, shall be certified substantially as follows: "Certified to be a true copy of the original". Each such certification shall be signed by a certifying officer designated pursuant to § 4.1 of this chapter.

**§ 16.8 Signature.**

All original and duplicate original documents shall be signed in ink. Initials and impressed signatures shall not be acceptable. The name and title of the official signing the document shall be typed beneath his signature.

**§ 16.9 Seal.**

Affixation of a seal to original documents or certified copies is optional with the issuing agency.

**STYLE****§ 16.15 Punctuation, capitalization, orthography.**

Punctuation, capitalization, orthography, and other matters of style shall conform in general to the most recent edition of the United States Government Printing Office Style Manual.

**§ 16.16 Geographic names.**

The spelling of geographic names shall conform to the most recent official decisions of the Board on Geographic Names established pursuant to the act of July 25, 1947 (61 Stat. 456; 43 U.S.C. 364a).

**§ 16.17 Descriptions of tracts of land.**

Descriptions of tracts of land shall conform, so far as practicable, with the most recent edition of the "Specifications for Descriptions of Tracts of Land for Use in Executive Orders and Proclamations," prepared by the Bureau of Land Management, Department of the Interior.



## ILLUSTRATIONS, TABULAR MATERIAL, AND FORMS

## § 16.20 Illustrations and tabular material.

Whenever possible documents should be so drafted as to make the inclusion of illustrations and tabular material unnecessary. If their inclusion cannot be avoided, the documents will be assigned to publication Schedule 3 (§§ 12.15-12.17), and the following provisions shall apply:

(a) *Illustrations.* The original drawings, or clear reproductions, of all maps, charts, graphs, or other illustrations shall be submitted to the Office six working days before the date on which publication is desired. A legible reproduction of the original illustration reduced to a size approximating 8 by 10½ inches, shall appear as part of the original document and the required certified copies.

(b) *Tabular material.* Tabular material comprising more than two typewritten pages shall be forwarded to the Office six working days before the date on which publication is desired.

## § 16.21 Forms.

Tabulated blank forms for application, registration, reports, contracts, and the like, and the instructions for preparing such forms ordinarily shall not be published in full. In lieu thereof there may be submitted for publication a simple statement describing the function of the form and indicating the place, or places, where copies may be obtained.

## PART 17—PREPARATION OF DOCUMENTS SUBJECT TO CODIFICATION

## Subpart A—General Requirements

- Sec.  
17.1 General provisions.  
17.2 Descriptions of organization.  
17.3 Orderly development.

## CODE STRUCTURE

- 17.4 Titles.  
17.5 Chapters.  
17.6 Parts.  
17.7 Sections.  
17.8 Subtitles.  
17.9 Subchapters.  
17.10 Subparts and undesignated center heads.

## NORMAL NUMBERING

- 17.12 Titles.  
17.13 Chapters.  
17.14 Parts.  
17.15 Sections.  
17.16 Internal divisions of sections.  
17.17 Subtitles, subchapters, and subparts.  
17.18 Reservation of numbers.

## SPECIAL NUMBERING PROBLEMS

- 17.20 Addition of new units between existing units.  
17.21 Vacated numbers.  
17.22 Keying to agency numbering systems.  
17.23 Statements of general policy; interpretations.

## HEADINGS

- 17.26 Required Code headings.  
17.27 Additional captions.  
17.28 Tables of contents.  
17.29 Composition of part headings.

## AMENDMENTS

- 17.32 General requirements.

## REFERENCES

- 17.34 General requirements.  
17.35 References to FEDERAL REGISTER.

- Sec.  
17.36 References between or within titles of the Code.  
17.37 Parallel citation of FEDERAL REGISTER and Code.  
17.38 References to 1938 edition of Code.

## EFFECTIVE-DATE STATEMENTS

- 17.41 Effective dates.

## Subpart B—Citations of Authority

- 17.45 General requirements.  
17.46 Agency responsibility; amendments.  
17.47 Provision for flexibility.

## PLACEMENT

- 17.50 Coverage of single section.  
17.51 Blanket coverage.  
17.52 Combined blanket and separate coverage.  
17.53 Combined blanket coverage.  
17.54 Documents involving various amendments.  
17.55 Non-statutory elements.

## FORM

- 17.60 General.  
17.61 Statutory materials.  
17.62 Non-statutory materials.

**AUTHORITY:** The provisions of this Part 17 issued under sec. 6, 49 Stat. 501, as amended, sec. 11, 67 Stat. 388, as amended; 44 U.S.C. 306, 311. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

**CROSS REFERENCE:** For preparation of Presidential proclamations and Executive orders, see Subchapter B of this chapter.

## Subpart A—General Requirements

## § 17.1 General provisions.

All documents subject to codification shall be drafted as amendments to the Code of Federal Regulations and prepared in accordance with the provisions of this part and of Part 16 of this chapter before submission to the Office. Each such document shall contain a promulgation statement precisely describing the relationship of the new provisions to existing provisions of the Code.

## § 17.2 Descriptions of organization.

The Director is authorized to designate documents submitted under section 3 (a) (1) of the Administrative Procedure Act as "documents subject to codification" under special agreement with the issuing agency. Such agreements shall be based on a formal statement, signed by the head of the agency, to the effect that (a) publication in the Code is necessary or desirable for the effective discharge of the agency's functions or activities, and (b) publication in the Code may be discontinued by order of the Administrative Committee for failure of the agency to keep publication current.

## § 17.3 Orderly development.

For the purpose of assuring orderly development along practical lines, the Director is authorized to establish new titles in the Code and to rearrange existing titles and subordinate assignments. Before taking such actions, the Director shall consult with all agencies directly affected by a proposed change.

## CODE STRUCTURE

## § 17.4 Titles.

The major divisions of the Code are titles, which bring together broadly related governmental functions.

## § 17.5 Chapters.

The normal divisions of titles are chapters, which are assigned to the various agencies within titles descriptive of the subject matter covered by the agencies' rules and regulations.

## § 17.6 Parts.

The normal divisions of chapters are parts. A part should consist of a unified body of rules or regulations applying to a specific function of the issuing agency or devoted to specific subject matter under control of the issuing agency. Parts are normally assigned to chapters as follows: Chapter I, Parts 1 to 199; Chapter II, Parts 200 to 299; Chapter III, Parts 300 to 399; etc.

## § 17.7 Sections.

The normal divisions of parts are sections. The section is the basic unit of the Code. It should consist of a short, simple presentation of one principal proposition.

## § 17.8 Subtitles.

Subtitles may be used to distinguish between material emanating from an overall office or agency and the material issued by its various components. Subtitles may also be used to otherwise group chapters within a title.

## § 17.9 Subchapters.

Subchapters may be used to group related parts within a chapter.

## § 17.10 Subparts and undesignated center heads.

Subparts or undesignated center heads may be used to group related sections within a part. Undesignated center heads may also be used to group sections within a subpart.

## NORMAL NUMBERING

## § 17.12 Titles.

Titles are numbered consecutively in Arabic throughout the Code.

## § 17.13 Chapters.

Chapters are numbered consecutively in Roman capitals throughout each title.

## § 17.14 Parts.

Parts are numbered in Arabic throughout each title.

## § 17.15 Sections.

Sections are numbered in Arabic throughout each part. A section number shall include the number of the part set off by a decimal point. Thus, the section number for section 15 within Part 17 is § 17.15.

## § 17.16 Internal divisions of sections.

Whenever internal divisions are necessary, sections shall be subdivided into paragraphs, paragraphs into subparagraphs, and subparagraphs into subdivisions, designated as follows:

Terminology:	Illustrative symbol
Paragraph .....	(a)
Subparagraph .....	(1)
Subdivision .....	(i)

### § 17.17 Subtitles, subchapters, and subparts.

Subtitles and subchapters are lettered consecutively in capitals throughout the title and the chapter respectively. Subparts may be lettered in capitals or may be undesigned.

### § 17.18 Reservation of numbers.

Where related parts or related sections are grouped under a heading as provided for in §§ 17.9 and 17.10, numbers should be reserved at the end of each group to allow for expansion.

#### SPECIAL NUMBERING PROBLEMS

### § 17.20 Addition of new units between existing units.

(a) If it becomes necessary to introduce a new part or section between existing parts or sections the new part or section shall be designated by the addition of a lowercase letter to the preceding part or section number. Thus, a part introduced between Parts 31 and 32 would be numbered Part 31a, and a section introduced between § 31.1 and § 31.2 would be numbered § 31.1a.

(b) If it should become necessary to introduce a paragraph between existing paragraphs, and revision of the entire section is not desirable, the new paragraph shall be designated by the addition of a hyphen and Arabic number to the letter designating the preceding paragraph. Thus, a paragraph introduced between paragraphs (a) and (b) would be numbered as paragraph (a-1).

(c) Should it become necessary to introduce a unit smaller than a paragraph between existing units, the entire paragraph should be revised.

### § 17.21 Vacated numbers.

Whenever a number is vacated by a revocation, the remaining elements in the overall unit shall retain their old numbers until the overall unit is completely revised. Prior to revision, the vacated number may be marked: [Reserved].

### § 17.22 Keying to agency numbering systems.

The keying of section numbers to make them correspond to particular numbering systems in use by the agency shall be permitted only when, in the opinion of the Director, the keying will be of benefit both to the agency and to the public. In all cases prior approval for the use of keying systems shall be obtained from the Director.

### § 17.23 Statements of general policy; interpretations.

Whenever a statement of general policy or interpretation, submitted pursuant to section 3(a)(3) of the Administrative Procedure Act, applies to an entire part, it should be included in, or appended to, that part. Similarly, whenever a statement of policy or interpretation applies to a specific section it should be appended to that section. Statements of policy and interpretations of broader scope should be assigned to a part or group of parts within the chapter affected.

#### HEADINGS

### § 17.26 Required Code headings.

(a) The title, chapter, and part heading, in that order, shall be set forth in full on separate lines at the beginning of each document. Subtitle, subchapter, and subpart headings shall also be set forth if applicable.

(b) Each section shall be given a brief descriptive heading. The section heading shall precede the text on a separate line.

### § 17.27 Additional captions.

(a) For the purpose of publication in the daily FEDERAL REGISTER, a brief caption more specifically describing the scope of a document constituting a partial amendment of the material within a part shall be provided immediately below the part heading.

(b) Agencies using regulation numbers or other identifying symbols shall place them in brackets centered immediately above the part heading.

### § 17.28 Tables of contents.

Tables of contents shall be used whenever a new part is introduced or an existing part is completely revised and whenever a group of sections is revised or added and set forth as a subpart or otherwise separately grouped under a centerhead. These tables shall precede the text of the rules or regulations and shall list the headings for the sections to which they are applicable.

### § 17.29 Composition of part headings.

A part heading should indicate briefly the general subject matter of the material appearing in the part. The use of phrases such as "Regulations under the act of July 26, 1955" or other expressions which are not descriptive of the subject matter should be avoided. Introductory expressions such as "Regulations governing" or "Rules applicable to" should not be used.

#### AMENDMENTS

### § 17.32 General requirements.

(a) When necessary for clarity, each amendatory document should include a brief statement of the nature and extent of the changes made.

(b) The number and heading of each section amended shall be set forth in full on a separate line.

(c) The text of each typographical unit amended shall be set forth in full as amended.

(d) Asterisks shall be used to indicate ellipsis of text retained without change. A separate line of five asterisks shall be used to indicate the ellipsis of one or more complete typographical units. A run-in line of three asterisks shall be used to indicate ellipsis of anything less than a complete typographical unit (see § 40.15 of this chapter).

#### REFERENCES

### § 17.34 General requirements.

All references to the Code shall be in terms of the specific titles, parts, sections, and paragraphs involved. Ambiguous references such as "herein"

"above", "below", and the like shall never be used. All documents which contain reference to material published in the Code shall include the Code citation as part of such reference.

### § 17.35 References to Federal Register.

The contents of the FEDERAL REGISTER should be referred to by volume and page number. Thus material beginning on page 3820 of volume 29 should be cited: 29 F.R. 3820.

### § 17.36 References between or within titles of the Code.

Unless the meaning is otherwise precisely expressed and undue or awkward repetition would result, references should be as follows:

(a) *Between titles.* When reference is made to material codified under a title other than that in which the reference occurs, the short form of citation should be used. Thus a reference made within Title 44 to § 2.4 of Title 1 should be in the following form: 1 CFR 2.4.

(b) *Within titles.* When reference is made to material codified in the same title, the following forms should be used:

Chapter II of this title.

Part 30 of this title.

§ 30.19 of this title.

(c) *Within chapters.* When reference is made to material codified in the same chapter, the following forms should be used:

Part 30 of this chapter.

§ 30.19 of this chapter.

(d) *Within sections.* Reference to other units within the same section should be cited as "paragraph (a) of this section" or "subparagraph (1) of this paragraph".

### § 17.37 Parallel citation of Federal Register and Code.

When appropriate, the Code and the FEDERAL REGISTER may be cited for parallel reference in the following forms:

18 CFR 157.18 (29 F.R. 4879).

§ 157.18 of this chapter (29 F.R. 4879).

### § 17.38 References to 1938 edition of Code.

Reference to the 1938 edition of the Code and supplements thereto may be made in the following forms:

1 CFR, 1938 ed., 1.1.

1 CFR, 1943, Cum. Supp., 2.1.

1 CFR, 1946 Supp., 2.1.

#### EFFECTIVE-DATE STATEMENTS

### § 17.41 Effective dates.

Each document subject to codification shall include a clear statement as to the date or dates on which its provisions are effective.

#### Subpart B—Citations of Authority

### § 17.45 General requirements.

Each section in a document subject to codification shall include, or shall be covered by, a complete citation of the rule making authority under which the provisions of the section are issued, including (a) general rule making author-

ity delegated by statute (b) specific rule making authority, if any, delegated by statute and, (c) executive delegations, if any, necessary to link the statutory authority to the issuing agency.

**§ 17.46 Agency responsibility; amendments.**

The accuracy and integrity of citations of authority are the responsibility of the issuing agency. Such citations shall be formally amended by the issuing agency to reflect changes in authority.

**§ 17.47 Provision for flexibility.**

The Director is authorized to make exceptions to requirements respecting the placement and form of citations of authority whenever strict application of such requirements would impair the practical usefulness of such citations.

**PLACEMENT**

**§ 17.50 Coverage of single section.**

Authority covering a single section shall be cited in parentheses on a separate line immediately following the text of the section. Thus:

(67 Stat. 388; as amended; 44 U.S.C. 311)

**§ 17.51 Blanket coverage.**

Authority covering a group of two or more consecutive sections shall be cited following the word "AUTHORITY" and placed as a text note immediately preceding the first section in the group. Thus:

**AUTHORITY:** The provisions of this Part 1 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306.

**§ 17.52 Combined blanket and separate coverage.**

Whenever individual sections within a group covered by a blanket citation reflect additional authority, a combined form shall be used: Thus:

**AUTHORITY:** The provisions of this Part 7 issued under sec. 6, 40 Stat. 501, as amended; 44 U.S.C. 306, except as otherwise noted.

**§ 17.53 Combined blanket coverage.**

Whenever a group of two or more consecutive sections within a broader group covered by a blanket citation reflect the same additional authority, combined blanket citations shall be used. Thus:

**AUTHORITY:** The provisions of this Part 7 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. §§ 7.1 to 7.11 also issued under 67 Stat. 388, as amended; 44 U.S.C. 311.

**§ 17.54 Documents involving various amendments.**

(a) Whenever a document prescribes various amendments, issued under common authority, the citation to such authority shall be placed in parentheses on a separate line following the last amendment.

(b) Whenever a document prescribes various amendments issued under varying authorities, each amendatory proposition shall be followed by the appropriate citation in parentheses on a separate line.

**§ 17.55 Non-statutory elements.**

Documents required to be cited as authority shall be placed after any required statutory elements. Thus:

**AUTHORITY:** The provisions of this Part 201 issued under sec. 401, 76 Stat. 902; 19 U.S.C. 1802. E.O. 11075, 28 F.R. 473; 3 CFR 1959-1963 Comp.

**FORM**

**§ 17.60 General.**

The shortest form of citation compatible with positive identification and ready reference should be used in all formal citations of authority. The Office is prepared to assist agencies in developing model citations under this criterion.

**§ 17.61 Statutory materials.**

(a) *Public laws.* Citations to current public laws should include reference to the volume and page of the U.S. Statutes at Large to which they have been assigned. Thus:

Sec. 11, Pub. Law 88-190, 77 Stat. 343.

(b) *Statutes at Large and U.S. Code.* In citing the U.S. Statutes at Large, reference should be made to section, volume, and page. The page number should refer to the page on which the section cited begins. The parallel U.S. Code citation shall be given whenever possible. In multiple citations, references to the Statutes should be arranged chronologically and grouped separately, preceding the group of parallel U.S. Code citations.

**§ 17.62 Non-statutory materials.**

Documents should be cited by FEDERAL REGISTER volume and page, followed if possible, by the parallel citation to the Code of Federal Regulations. Thus:

T.D. 6721, 29 F.R. 4997.

Special Civil Air Reg. SR-422A, 28 F.R. 6703; 14 CFR Part 4b.

E.O. 11130, 28 F.R. 12789; 3 CFR 1959-1963 Comp.

**PART 18—PREPARATION OF NOTICES AND RULE MAKING PROPOSALS**

**NOTICES IN GENERAL**

- Sec. 18.1 General requirements.
- 18.2 Name of issuing agency.
- 18.3 Name of agency subdivision.
- 18.4 Agency document designation.
- 18.5 Additional captions.
- 18.6 Authority citation.

**NOTICES OF PROPOSED RULE MAKING**

- 18.10 General requirements.
- 18.11 Code designation.
- 18.12 Codification.

**AUTHORITY:** The provisions of this Part 18 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

**CROSS REFERENCE:** For preparation of Presidential proclamations and Executive orders, see Subchapter B of this chapter.

**NOTICES IN GENERAL**

**§ 18.1 General requirements.**

Documents not subject to codification shall be prepared in conformity with the provisions of this part and of Part 16 of this chapter.

**§ 18.2 Name of issuing agency.**

The name of the issuing agency shall be carried at the beginning of the document.

**§ 18.3 Name of agency subdivision.**

Whenever a document is issued by or for a specific bureau, service, or similar

unit within a department or overall agency, the name of such bureau, service, or unit shall be carried on a separate line immediately below the name of the issuing agency.

**§ 18.4 Agency document designation.**

Agencies using file numbers, docket numbers, or similar identifying symbols, shall place them in brackets on a separate line immediately following the headings required by §§ 18.2 and 18.3.

**§ 18.5 Additional captions.**

A suitable short title identifying the subject shall be provided beginning on a separate line immediately following the other required caption or captions. Whenever appropriate, an additional brief caption indicating the nature of the document should be used.

**§ 18.6 Authority citation.**

The authority under which the document is issued should be cited in narrative form within text or in parentheses on a separate line following text.

**NOTICES OF PROPOSED RULE MAKING**

**§ 18.10 General requirements.**

Notices of proposed rule making required by section 4(a) of the Administrative Procedure Act or by any other act, and similar notices voluntarily undertaken, shall include a statement of (a) the time, place, and nature of public rule making proceedings; (b) reference to the authority under which the rule is proposed; and (c) either the terms or substance of the proposed rule or a description of the subjects and issues involved. Such notices shall conform to the provisions of this part and of Part 16 of this chapter.

**§ 18.11 Code designation.**

The area of the Code directly affected by a proposed rule shall be identified by placing the appropriate CFR citation in brackets immediately below the name of the issuing agency. Ordinarily this citation will consist of title and part, thus: [1 CFR Part 18].

**§ 18.12 Codification.**

Any portion of a proposed rule making document which consists of the full text of a proposed rule shall also conform to the provisions of Part 17 of this chapter.

**SUBCHAPTER D—SPECIAL EDITIONS OF THE FEDERAL REGISTER**

**PART 30—CODE OF FEDERAL REGULATIONS**

**Subpart A—Publication**

- Sec. 30.1 Publication policy.
- 30.2 Form of citation.
- 30.3 Unrestricted use.
- 30.4 Orderly development.
- 30.5 General format and binding.
- 30.6 Daily supplementation.
- 30.7 Periodic supplementation and republication.
- 30.8 Presidential documents, Title 3.
- 30.9 Indexes.
- 30.10 Ancillaries.
- 30.11 Agency cooperation.

Subpart B—Distribution  
OFFICIAL DISTRIBUTION

- Sec.  
30.12 Congressional committees.  
30.13 Judicial branch.  
30.14 Executive agencies.  
30.15 Governmental requisitions.

PUBLIC SALE

- 30.16 Individual books and supplements.  
30.17 Subscription service.

**AUTHORITY:** The provisions of this Part 30 issued under sec. 6, 49 Stat. 501, as amended, sec. 11, 67 Stat. 388, as amended; 44 U.S.C. 306, 311. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

**CROSS REFERENCE:** For provisions respecting the structure of the Code, see §§ 17.4 to 17.10 of this chapter.

Subpart A—Publication

§ 30.1 Publication policy.

(a) Pursuant to the act and the provisions of this chapter, the Office shall maintain publication of a special edition of the FEDERAL REGISTER designed to present a compact and practical code entitled "Code of Federal Regulations."

(b) The Code shall be based with respect to continuity of coverage on the "Code of Federal Regulations, 1949 Edition" published pursuant to regulations of the Administrative Committee approved by the President October 11, 1948 (13 F.R. 5935). It is the intent of the Administrative Committee that every practical means be employed to keep this Code as current and as readily usable as possible within limitations imposed by considerations of dependability and reasonable costs.

§ 30.2 Form of citation.

The Code of Federal Regulations may be cited by title and section. The approved short form is by title number, initial letters of the name, and the combined part-section number. Thus 1 CFR 30.2 refers to Title 1, Code of Federal Regulations, Part 30, section 2.

§ 30.3 Unrestricted use.

There are no restrictions on the reproduction or republication of materials appearing in the Code of Federal Regulations.

§ 30.4 Orderly development.

For the purpose of assuring orderly development along practical lines, the Director is authorized to establish new titles in the Code, and to rearrange existing titles and subordinate assignments. Before taking any such action, the Director shall consult with all agencies directly affected by the proposed change.

§ 30.5 General format and binding.

For the purpose of attaining maximum usefulness, prompt publication, and economy of manufacture, the Director is authorized to provide for the binding of the Code into as many separate books as are indicated by the needs of users and compatible with the facilities of the Government Printing Office. Books may have permanent bindings (with or without pockets for supplements) or may be paperbound when, in the judgment of the Director, frequency of revisions, user needs, or other good reasons make such binding preferable.

§ 30.6 Daily supplementation.

Documents subject to codification, published in the daily issues of the FEDERAL REGISTER pursuant to Subchapter C of this chapter, shall be keyed to the Code and shall serve as daily supplements thereto.

§ 30.7 Periodic supplementation and republication.

(a) *Criteria.* Each book of the Code shall be updated by a supplementary book or by collation and republication at least once each calendar year. If no change has occurred during the year, a simple notation to that effect may serve as the supplement for that year. More frequent supplementation or collation and republication of any unit of the Code may be made whenever the Director determines that the content of the unit has been substantially superseded or otherwise determines that such action would be consistent with the intent and purpose of the Administrative Committee as stated in the last sentence of § 30.1(b).

(b) *Annual cutoff date.* The regular cutoff date for the coverage of annual supplements or republications shall be the last publication day of each calendar year. The text of each annual supplement or republication shall be limited to provisions which have been fully promulgated in the FEDERAL REGISTER on or before the cutoff date.

(c) *Other cutoff dates.* When supplementation or republication occurs more frequently than once each year, the cutoff dates shall be determined by the Director with due regard for the coverage of pertinent indexes and numerical finding aids.

§ 30.8 Presidential documents, Title 3.

(a) *Compilation and republication.* The Office shall compile and publish annual supplements to Title 3. The supplements shall contain the full text of proclamations, Executive orders, and other Presidential documents published in the daily FEDERAL REGISTER during the calendar year. Annual books may be paper bound and shall include appropriate indexes and ancillaries. Every five years, or as determined by the Director to be required, the annual supplements shall be compiled and republished in permanently bound form with consolidated indexes and numerical finding aids.

(b) *Codification.* It is the intent of the Administrative Committee that general and permanent Presidential documents of a regulatory nature also be codified under Title 3 or other appropriate titles.

§ 30.9 Indexes.

In general, each book shall include an explanation of its coverage and such other finding aids as may be authorized by the Director. A subject index to the entire Code shall be annually revised and separately published.

§ 30.10 Ancillaries.

The Code shall provide, among others, the following-described ancillary tables:

(a) *Parallel tables of statutory authority and rules.* In Title 2 or such

other place as the Director may deem appropriate, numerical lists of all sections of the current edition of the United States Code (except 5 U.S.C. 22) which are cited by issuing agencies as rule making authority for currently effective rules in the Code of Federal Regulations. The lists shall be arranged in the order of the titles and sections of the United States Code with parallel citations to the pertinent titles and sections of the Code of Federal Regulations.

(b) *Tables of cited Presidential documents.* Under Title 3, tables of proclamations, Executive orders, and similar Presidential documents which are included or referred to in currently effective rules as published in the Code of Federal Regulations.

(c) *List of sections affected.* Following the text of each book or cumulative pocket supplement, a numerical list of all sections which are affected by documents published in the FEDERAL REGISTER on and after January 1, 1949. Listings shall refer to FEDERAL REGISTER pages and shall be designed to enable the user of the Code to assure himself of the precise text that was in effect on a given date in the period covered.

§ 30.11 Agency cooperation.

Each agency shall cooperate in keeping publication of the Code current by prompt compliance with deadlines set by the Office and the Government Printing Office.

Subpart B—Distribution

OFFICIAL DISTRIBUTION

§ 30.12 Congressional committees.

The Code shall be furnished to committees of the Congress in such numbers as are needed for official use. Authorization for furnishing such copies shall be submitted in writing to the Director by the Committee Chairman or his delegate.

§ 30.13 Judicial branch.

(a) *Supreme Court.* The Code shall be furnished without charge to the Supreme Court of the United States in such numbers as are needed for official use.

(b) *Other courts.* The Code shall be furnished without charge to the other constitutional courts and to the legislative courts of the United States in such numbers as are needed for official use. Authorization for furnishing such copies shall be submitted in writing to the Director of the Federal Register and signed by the Director of the Administrative Office of the United States Courts or his delegate.

§ 30.14 Executive agencies.

The Code shall be furnished to officials, libraries, and major organizational units of the executive agencies as needed for official use. Authorization for furnishing copies shall be submitted to the Director in writing and signed by the authorizing officer or his alternate designated under § 4.1 of this chapter. Special needs for selected units of the Code in substantial quantity shall be filled by governmental requisition under § 30.15.

**§ 30.15 Governmental requisitions.**

Legislative, judicial, and executive agencies of the Federal Government shall be entitled to obtain selected units of the Code which are needed in substantial quantity for special distribution upon timely submission to the Government Printing Office of a printing and binding requisition (Standard Form 1).

**PUBLIC SALE****§ 30.16 Individual books and supplements.**

The books and supplements comprising the Code shall be placed on sale to the public by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, at prices determined by him under the general direction of the Administrative Committee.

**§ 30.17 Subscription service.**

Subscription service on an annual basis to all revised volumes and supplements of the Code shall be obtainable from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, at prices determined by him under the general direction of the Administrative Committee.

## PART 31—U.S. GOVERNMENT ORGANIZATION MANUAL

**PUBLICATION AND FORMAT**

- Sec.  
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**AUTHORITY:** The provisions of this Part 31 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

**PUBLICATION AND FORMAT****§ 31.1 Publication required.**

There shall be published, annually or at such times as may be determined by the Administrative Committee, a special edition of the FEDERAL REGISTER designated as the "United States Government Organization Manual."

**§ 31.2 Format and indexes.**

The Manual shall be separately published in handbook form, with appropriate indexes and ancillaries.

**SCOPE****§ 31.6 Executive agencies.**

Brief descriptions of the organization of the various agencies of the executive branch shall be published in the Manual. The text shall be based on the descriptions of organization required to be published in the FEDERAL REGISTER by section 3(a)(1) of the Administrative Procedure Act.

**§ 31.7 Congress and the courts.**

Brief descriptions of the organization of the Congress and of agencies of the legislative and judicial branches shall be published in the Manual.

**§ 31.8 Supplementary material.**

Brief descriptions of the organization of quasi-official agencies and similar supplementary information may be included in the Manual if, in the opinion of the Director, the material is of sufficient public interest to warrant such inclusion.

**LIAISON OFFICERS****§ 31.11 Designation of special officers.**

The Director shall request the agencies of the legislative and judicial branches and the quasi-official agencies represented in the Manual to designate special officers to maintain liaison with the Office of the Federal Register.

**§ 31.12 Duties of regular officers.**

Each liaison officer regularly designated under § 4.1 of this chapter shall review for accuracy the statement of agency organization submitted pursuant to § 31.17, and shall cause to be supplied any supplementary information concerning his agency which is to be included pursuant to § 31.8.

**MANNER OF COMPILATION****§ 31.16 Preparation of agency statements.**

The Office shall prepare an official draft of the descriptions of organization contemplated by § 31.6. In addition to identifying principal organizational units, these descriptions shall plainly indicate the places at which the public may secure information or make submittals or requests.

**§ 31.17 Agency review of drafts.**

Each such official draft, together with related supplementary material, shall be submitted by the Office to the appropriate liaison officer for review as to accuracy. Changes in the official draft shall be limited to factual corrections and to the updating of text to reflect organization as of the cutoff date of the edition of the Manual in process.

**§ 31.18 Other organization statements.**

Brief descriptions of the organization of agencies of the legislative and judicial branches and of quasi-official agencies shall be prepared and submitted to such agencies with a request that they be reviewed for accuracy.

**§ 31.19 Apportionment of space.**

The Director is authorized to determine the apportionment of space in the Manual with a view to maintaining balance and uniformity of presentation.

**OFFICIAL DISTRIBUTION****§ 31.21 The Congress.**

Each Member of the Congress shall be furnished two free copies of the Manual; and each Member shall be entitled to receive not more than four additional free copies for official use. Authorization for the furnishing of such additional copies shall be submitted in writing to the Director by the authorizing Member.

**§ 31.22 Congressional committees.**

Each Congressional committee shall be entitled to receive copies of the Manual without charge in such numbers as are needed for official use. Requests for placement on the Manual mailing list shall be made in writing to the Director by the chairman of the committee or his delegate.

**§ 31.23 Judicial branch.**

(a) *Supreme Court.* The Supreme Court of the United States shall be entitled to 18 copies of the Manual without charge.

(b) *Other courts.* The other constitutional courts and the legislative courts of the United States shall be entitled each to one copy of the Manual without charge. Authorization for furnishing such copies shall be submitted in writing to the Director of the Federal Register by the Director of the Administrative Office of the United States Courts or his delegate.

**§ 31.24 Executive agencies.**

The head of each agency in the executive branch and each liaison officer designated under §§ 4.1 and 31.11 of this chapter shall be entitled to one free copy of the Manual.

**§ 31.25 Governmental requisitions.**

Legislative, judicial, and executive agencies of the Federal Government may obtain at cost copies of the Manual for official use upon the timely submission to the Government Printing Office of a printing and binding requisition (Standard Form 1).

**§ 31.26 Extra copies.**

All requests for extra copies of the Manual must be addressed to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, and such copies must be paid for by the agency or official requesting them.

**PUBLIC SALE****§ 31.28 Current editions of Manual.**

The Manual shall be placed on sale to the public by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, at a price to be determined by him under the general direction of the Administrative Committee.

## PART 32—PUBLIC PAPERS OF THE PRESIDENTS OF THE UNITED STATES

**PUBLICATION AND FORMAT**

- Sec.  
32.1 Publication required.  
32.2 Coverage of prior years.  
32.3 Format, indexes, ancillaries.



## SCOPE

- Sec.  
32.10 Basic criteria.  
32.11 Sources.

## OFFICIAL DISTRIBUTION

- 32.15 The Congress.  
32.16 The Supreme Court.  
32.17 Executive agencies.  
32.18 Governmental requisitions.  
32.19 Extra copies.

## PUBLIC SALE

- 32.22 Sale of annual volumes.

**AUTHORITY:** The provisions of this Part 32 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

## PUBLICATION AND FORMAT

## § 32.1 Publication required.

There shall be published forthwith at the end of each calendar year, a special edition of the FEDERAL REGISTER designated "Public Papers of the Presidents of the United States." Ordinarily each volume shall cover one calendar year and shall be identified further by the name of the President and the period covered.

**NOTE:** This program started with the year 1957.

## § 32.2 Coverage of prior years.

After conferring with the National Historical Publications Commission with respect to the need therefor, the Administrative Committee may from time to time authorize the publication of similar volumes covering specified calendar years prior to 1957.

**NOTE:** The committee has approved the publication of volumes starting with the year 1945.

## § 32.3 Format, indexes, ancillaries.

Each annual volume, divided into books whenever appropriate, shall be separately published in the binding and style deemed by the Administrative Committee to be suitable to the dignity of the office of President of the United States. Each volume shall be appropriately indexed and shall contain appropriate ancillary information respecting significant Presidential documents not published in full text.

## SCOPE

## § 32.10 Basic criteria.

The basic text of the volumes shall consist of oral utterances by the President or of writings subscribed by him.

## § 32.11 Sources.

(a) The basic text of the volumes shall be selected from: (1) Communications to the Congress, (2) public addresses, (3) transcripts of press conferences, (4) public letters, (5) messages to heads of state, (6) statements released on miscellaneous subjects, and (7) formal executive documents promulgated in accordance with law.

(b) In general, ancillary text, notes, and tables shall be derived from official sources.

## OFFICIAL DISTRIBUTION

## § 32.15 The Congress.

Each Member of the Congress, during his term of office, shall be entitled to one

copy of each annual volume published during such term. Authorization for furnishing such copies shall be submitted in writing to the Director and signed by the authorizing Member.

## § 32.16 The Supreme Court.

The Supreme Court of the United States shall be entitled to 12 copies of the annual volumes.

## § 32.17 Executive agencies.

The head of each department and the head of each independent agency in the executive branch of the Government shall be entitled to one copy of each annual volume upon application therefor in writing to the Director.

## § 32.18 Governmental requisitions.

Legislative, judicial, and executive agencies of the Federal Government may obtain, at cost, copies of the annual volumes for official use upon the timely submission to the Government Printing Office of a printing and binding requisition (Standard Form 1).

## § 32.19 Extra copies.

All requests for extra copies of the annual volumes must be addressed to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Extra copies must be paid for by the agency or official requesting them.

## PUBLIC SALE

## § 32.22 Sale of annual volumes.

The annual volumes shall be placed on sale to the public by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, at prices determined by him under the general direction of the Administrative Committee.

## SUBCHAPTER E—DEFINITIONS

## PART 40—MEANING OF TERMS IN THIS CHAPTER

- Sec.  
40.1 Meaning of terms.  
40.2 Act.  
40.3 Administrative Committee.  
40.4 Administrative Procedure Act.  
40.5 Agency.  
40.6 Code.  
40.7 Director.  
40.8 Document.  
40.9 Document having general applicability and legal effect.  
40.10 Document subject to codification.  
40.11 Federal Register.  
40.12 Office.  
40.13 Person.  
40.14 Publication day.  
40.15 Typographical unit.  
40.16 Working day.

**AUTHORITY:** The provisions of this Part 40 issued under sec. 6, 49 Stat. 501, as amended; 44 U.S.C. 306. Sec. 6, E.O. 10530, 19 F.R. 2709; 3 CFR 1954-1958 Comp.

## § 40.1 Meaning of terms.

As used in this chapter, unless the context otherwise requires, terms shall have the meanings ascribed in this part.

## § 40.2 Act.

"Act" means the Federal Register Act, approved July 26, 1935, as amended (49 Stat. 500, as amended; 44 U.S.C. 301, et seq.).

## § 40.3 Administrative Committee.

"Administrative Committee" means the Administrative Committee of the Federal Register established under section 6 of the act.

## § 40.4 Administrative Procedure Act.

"Administrative Procedure Act" means the Administrative Procedure Act, approved June 11, 1946 (60 Stat. 237, as amended; 5 U.S.C. 1001-1011).

## § 40.5 Agency.

"Agency" means each authority, whether or not within or subject to review by another agency, of the government of the United States other than the Congress, the courts, or the Governments of the District of Columbia, the Commonwealth of Puerto Rico, or the territories or possessions of the United States.

## § 40.6 Code.

"Code" means the Code of Federal Regulations prepared and published by the Office pursuant to section 11 of the act, as amended.

## § 40.7 Director.

"Director" means the Director of the Office of the Federal Register, National Archives and Records Service, General Services Administration.

## § 40.8 Document.

"Document" means any Presidential proclamation or Executive order, and any rule, regulation, order, certificate, code of fair competition, license, notice, or similar instrument issued, prescribed, or promulgated by an agency, and any other instrument authorized or required by law to be published in the FEDERAL REGISTER.

## § 40.9 Document having general applicability and legal effect.

"Document having general applicability and legal effect" means every document issued under proper authority prescribing a penalty or a course of conduct, conferring a right, privilege, authority, or immunity, or imposing an obligation, and relevant or applicable to the general public, the members of a class, or the persons of a locality, as distinguished from named individuals or organizations.

## § 40.10 Document subject to codification.

"Document subject to codification" means any document which has general applicability and legal effect and which is in force and effect and relied upon by the issuing agency as authority for, or invoked or used in the discharge of, any of its functions or activities: *Provided*, That descriptions of organization published pursuant to section 3(a)(1) of the Administrative Procedure Act may be assigned to and published in the Code under special agreements authorized by § 17.2 of this chapter.

## § 40.11 Federal Register.

"FEDERAL REGISTER" means the daily issue of the FEDERAL REGISTER.



## RULES AND REGULATIONS

## § 40.12 Office.

"Office" means the Office of the Federal Register, National Archives and Records Service, General Services Administration.

## § 40.13 Person.

"Person" means any individual, partnership, association, or corporation.

## § 40.14 Publication day.

"Publication day" means the day designated by the date line of the FEDERAL REGISTER in which a document is published. The FEDERAL REGISTER is published Tuesday through Saturday. There is no publication on Sunday, Monday, or on the day after an official Federal holiday.

## § 40.15 Typographical unit.

"Typographical unit" means a grammatical paragraph or an obvious segment of printed text similar in appearance to a paragraph.

## § 40.16 Working day.

"Working day" means the period from 8:45 a.m. to 5:15 p.m., Monday through Friday of each week, except official Federal holidays.

This revision of Chapter I of Title 1 of the Code of Federal Regulations shall become effective 30 days after publication in the FEDERAL REGISTER.

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THE FEDERAL REGISTER,

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